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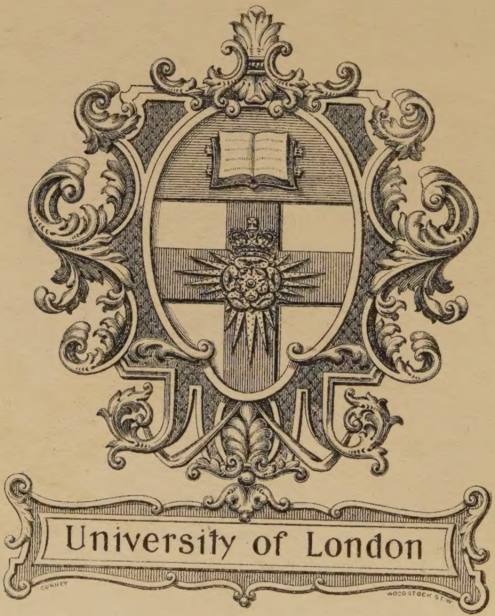
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HANSARD'S
PARLIAMENTARY
DEBATES:

Third Series;

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

5° VICTORIÆ, 1842.

VOL. LXIII.

COMPRISING THE PERIOD FROM

THE THIRD DAY OF MAY

TO

THE SIXTEENTH DAY OF JUNE, 1842.

Fourth Volume of the Session.

LONDON:

THOMAS CURSON HANSARD, PATERNOSTER ROW;
LONGMAN AND CO.; C. DOLMAN; J. RODWELL; J. BOOTH; HATCHARD AND SON; J. RIDGWAY; CALKIN AND BUDD; R. H. EVANS; J. BIGG AND SON; J. BAIN; J. M. RICHARDSON; P. RICHARDSON; ALLEN AND CO.; AND R. BALDWIN.

1842.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE *SECOND SESSION* OF THE *FOURTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 11 NOVEMBER, 1841, AND FROM THENCE CONTINUED TILL 3 FEBRUARY, IN THE FIFTH YEAR OF

HER MAJESTY QUEEN VICTORIA.

FOURTH VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, May 3, 1842.

MINUTES.] BILLS. *Public.*—2ª· Parish Property.
Reported.—Soap Duties Drawback; Timber Ships; Queen's Prison.
Private.—1ª· Gosport Pier; Duke of Argyle's Estate.
2ª· Bolton and West Houghton Road; London and Blackwall Railway; Great North of England (Clarence and Hartlepool) Railway; New Cross Roads; Granton Pier (No. 2); Northern Coal Mining Company; Charterhouse Estate; Saundersfoot Harbour.
Reported.—(specially) Sheffield, Ashton-under-Lyne, and Manchester Railway; Buckland Inclosure; Weston-super-Mare Improvement; Glasgow and Redburn Bridge Road; Glasgow, Paisley, Kilmarnock, and Ayr Railway.
3ª· and passed:—Bates's Naturalization; Bolton and Preston Railway.

PETITIONS PRESENTED. By the Earl of Winchilsea, from Long Melford, and Ramsgate, against any further Grant to Maynooth College.—By Viscount Lorton, from Roscommon, against any Alteration in the Law relating to the Importation of Foreign Cattle, and Salted Provisions.—By a noble Lord, from Pimlico, and Southwark, for the Redemption of the Tolls on Waterloo and other Metropolitan Bridges.—By Lord Fitzwilliam, from Ayr, and Sheffield, for the Repeal of the Corn and Provision Laws.—From Hitchen, against the Importation of Live Stock at a less Duty than 20 per cent.—From the Vestrymen of St. Luke's, against the Income-tax.—From Tamworth Union, for Alteration of the Bastardy Clause of the New Poor-law.—By Lord Clifford of Chudleigh, from Newark-upon-Trent, Cannington, Longton, and Banbury, for a measure to secure Religious Instruction to the Roman Catholics serving in the Army and Navy.—From J. Nelson, for the Repeal of the Tithe Commutation Act.—From Ballymodan, Bandon, and several other places, for Encouragement of Schools in connexion with the Church Education Society (Ireland).—From the Medical Practitioners of Carlow, for the Better Remuneration of Medical Men attending Coroners' Inquests and Courts of Justice, etc.—From J. Sturge, for Universal Suffrage.

LEGAL REFORM.] Lord *Campbell* wished to ask the noble and learned Lord on the Woolsack, what was the present state of the Lunacy Bill, the Bankruptcy Bill, the Local Courts Bill, and the Ecclesiastical Courts Bill.

The *Lord Chancellor* said, with respect to the Lunacy Bill, it had been read a first and second time, and stood for the committee; it was his intention to-morrow to give notice for the committee on Monday. As to the Bankruptcy Bill, it had been read a first time, and he would propose the second reading some day in the ensuing week. With respect to the third bill, the Local Courts Bill, he had found such conflicting interests, and such difficulty in reconciling them, that he had not been able to lay it on the Table; but he trusted to meet such a concurrence of opinion, that he should be able to introduce it soon after the recess.

Lord *Abinger* trusted the bill would never be laid on the Table of the House; but if it was, he should give it his determined opposition.

The *Lord Chancellor* believed he had given no answer to one of the questions put by his noble and learned Friend; namely, that with respect to the Ecclesiastical Courts Bill; and he therefore begged leave to inform him that the bill had been prepared and was ready to be introduced in the other House.

Lord *Brougham* was exceeding glad to find that the intention of his noble Friend was such as he had stated; but with respect to the policy of the Bankruptcy Bill taking precedence of the Local Courts Bill, he entertained great doubt. If his noble Friend would look more narrowly into the subject, he would find the more convenient course would be, to proceed first with the Local Courts Bill, and afterwards to add the Bankruptcy Bill to it.

The *Lord Chancellor* begged leave to state that the bill was already laid on the Table of the House, and no inconvenience could result from the second reading of the bill, because, at any future stage, the progress of the bill might be stopped if necessary, until the other bill had been read a second time. He begged leave to state, that it occurred to him that it was not necessary to postpone the bill, and to proceed with the other bill, for this reason, it was nothing more than extending the principle of the bill introduced by his noble and learned Friend with respect to bankruptcy, which had been found to operate so beneficially, that several merchants of London had presented a petition to extend the operation of the bill to the whole country. The object of the bill was, in consequence of the increased facilities for communication, to extend the jurisdiction of the town commissioners, and to provide a jurisdiction for the country.

Lord *Brougham* said, that the bill met with his concurrence, both in principle and detail.

UNIVERSAL SUFFRAGE.] Lord *Brougham* presented a petition from the provincial council of the National Complete Suffrage Union, dated the 15th of April, praying for universal suffrage, annual Parliaments, vote by ballot, and no property qualification. The body from which the present petition emanated was composed of between ninety and one hundred delegates from different parts of England, Wales, and Scotland. They met at Birmingham, where they held several deliberate assemblies for the space of several days, and they came to certain resolutions. They afterwards convened a public meeting, which was attended by many thousands of their fellow citizens; that meeting consisted of persons of all descriptions, amongst whom the greatest unanimity prevailed. The middle classes showed the greatest anxiety that their fellow citizens should be brought within the pale of the Constitution. As the petition spoke not only the sentiments of the individual who had signed it on behalf of the meeting, but also those of 3,000,000 people, and as its object was universal suffrage, annual Parliaments, vote by ballot, and no property qualification, he trusted their Lordships would not think he was asking too much when he requested that the petition should be read at length.

Petition read at length.

Lord *Brougham* in moving that it do lie on the Table observed, that the gentleman (Mr. Sturge, of Birmingham) whose name was signed to it was a most respectable and amiable individual, a member of the Society of Friends, by many of whom the prayer of the petition was supported.

Petition to lie on the Table.

Adjourned.

HOUSE OF COMMONS,

Tuesday, May 3, 1842.

MINUTES.] BILLS. *Public.*—3°· and passed:—Turnpike Roads (Ireland); Exchequer Bills; Civil Bill Decrees (Ireland).

Private.—1°· Indemnity; Mutual Marine Insurance Company.

2°· Liverpool Borough Court.

Reported.—Equitable Gas Company; Kingston Roads; Ellesmere and Chester Canal: Greenock Harbours; Northern Union (Newcastle and Darlington Junction) Railway.

3°· and passed:—Southwark Improvement (No. 2).

PETITIONS PRESENTED. By Mr. Leader, from Westminster, against the Income-tax.—By Mr. Wakley, from the Pressmen of London, complaining of the Parliamentary Papers being Printed by Steam; and from others, against the Reduction of the Duty on Foreign Musical Strings.—By an hon. Member, from Wexford, for Reduction of the Timber Duties.—From Attornies at Northallerton, Knaresborough, and Pontefract, for the Repeal of the Duty on their Certificates.—From Caithness, for Alteration of the present system of Education (Ireland).—From Sidmouth, Northleigh, Feniton, Gittisham, and Farway, for the Better Observance of the Sabbath.—From the Trustees of the Axminster Road, that Carriages carrying the Mails may pay Toll.—From Saxlingham, and Sharrington, against any further Grant to Maynooth.—From Castle-street, Leicester-square, Bloomsbury, Finsbury, Old Compton-street, Soho, St. Ann's, Soho, and St. Clement Danes, for Repeal of the Corn-laws.—From J. Perceval, for Inquiry into the Treatment of Patients in Lunatic Asylums.—From sundry parties, against the Turnpike Roads Bill.

PENRYN AND FALMOUTH ELECTION PETITION.] Mr. *C. Wood* reported from the select committee appointed to try the merits of the petition, complaining of an undue return for the united borough of Penryn and Falmouth, that Captain Plumridge was duly elected to serve in this present Parliament for that borough.

Determination entered on the journals of the House.

SOUTHWARK IMPROVEMENT (No. 2) Bill.] Mr. *Lambton* after having moved the Order of the Day for the resumption of the adjourned debate on the third reading of the Southwark Improvement Bill, proposed the insertion of the following clause:—

"And be it enacted, that the lessees and sub-lessees of church property required for the purposes of this act, shall be entitled to receive from the commissioners, for the sale of their subsisting estates and interests therein, what would have been the market value thereof had this act not passed into a law, and the usual expectation of renewal, if any, of such estates and interests had still existed."

This clause had been examined and carefully corrected by the Solicitor-general: it had been examined and approved of by the hon. and learned Member for Worcester (Sir T. Wilde): it had been shown to the Bishop and the Dean of the diocese of Durham, where there was such a large amount of church leasehold property; and these distinguished individuals, of course not pretending to give any opinion whatever as to the details of the bill, or as to any of the local circumstances connected with it,—with regard to this clause said they were "unable to discover any dangerous tendency in it, while its immediate object was obviously protective." And it was perfectly clear that the clause was protective to the church; because the confidence of the church lessee in the right of renewal formed an important element in the calculation of the amount of the fines; and if by any oppressive and tyrannical act of the Legislature, such as this act would be without this clause, they should greatly shake the confidence of the church lessee in the right of renewal, it was perfectly evident that the church lessees would no longer be prepared to lay out on their property the money they hitherto had done; and the amount of the fines must of necessity be diminished. Now, all this was illustrated and proved by the evidence taken before the church leases committee. There was one answer of an important witness (Mr. D. Turner, surveyor and land agent to the Bishop of Durham), that he would cite. His answer was—

"The practice of renewal having prevailed for such an immense length of time, it is generally considered that the lessee has a beneficial interest in the renewal; otherwise, nobody would give eighteen years' purchase for having a term of twenty-one years. Frequently, when I was the Bishop's agent, land that was held for twenty-one years was sold at eighteen years' purchase; whereas to bring 4 per cent., if the lease was at twenty-one years, it is worth only about fourteen."

All this forcibly proved that this was a protective clause to the church. On a former occasion he had endeavoured to shew how it was a protective clause to the church lessee: he had pointed out all the important instances in the last Parliament where the principle of compensation had been adopted—how this very bill, with the compensation clause, had passed in that Parliament: he had referred to all that had passed on the subject in the courts of law, to show that they could not do without a compensation clause, and how favourably the Judges seized the opportunity, whenever the act of Parliament allowed them—he had pointed out, supported by the able and distinguished Members for Exeter, Worcester, and Woodstock, that to refuse to the church lessees the marketable value of their property would be a gross and monstrous injustice; and lastly, he had endeavoured respectfully to impress upon the House, that whenever private Acts were brought before the Legislature, to compel the sale of the property of individuals, it was the bounden duty of the House to guard with the utmost care, vigilance, and jealousy, the interests of every one individual; and that not to do that would be, to use the words of a former Lord Chancellor, whom he had quoted, to make the enactments of that House "become instruments of greater oppression than anything in the whole system of administration under our constitution."

Clause read a first time.

On the question that the clause be read a second time,

Sir *R. Inglis* said, it was his intention to oppose this clause; but, while he opposed it strongly, he could truly affirm that his opposition was perfectly conscientious. He could not consent to grant to these parties a right, under this bill, which they did not at present possess. Let gentlemen treat this subject with all the legal acumen that could be brought forward—let them quote the highest authorities in arguing upon it, still the plain question resolved itself into this,—whether they would, by the admission of such a clause as that which was now proposed, confer a legal right on parties which they did not now possess?

Mr. *Liddell* was in favour of the clause. The question, as it appeared to him, was simply this—"Will you permit a party to carry a bill through the House giving to that party a compulsory power to interfere with the rights of individuals, without allowing to those individuals, as compensation, the fair marketable value which their interests would command if this bill were not passed into a law?" To him it was clear that such compensation ought to be granted. He hoped, therefore, that the House would confirm the justice of this claim by agreeing to the clause proposed by his hon. Friend.

Mr. *G. Knight* said, he should oppose the clause on principle. The intention of the promoters of the clause then before the House evidently was, to convert a species of equitable right into a positive legal right.

Mr. *G. H. Vernon* said, that, in his opinion, it was only just and fair that the lessees of property which was required for the purposes of public or private improvement (he cared not which), and who did not seek to part with, and had no wish to give up such property, should be allowed, as compensation, the fair market value of their interest in that property. He, therefore, should support the clause.

Lord *G. Somerset* suggested an alteration in the wording of the clause, as it referred to the "market value" of the interest which individuals claimed in this property. If such an alteration were made, he would not oppose the clause thus amended.

Mr. *Lambton* was willing to agree to any alteration that did not run counter to the principle laid down by the great legal authorities to whom he had referred; but, as the proposition of his noble Friend was not of that nature, he could not accede to it.

The House divided—Ayes 187; Noes 31: Majority 156.

List of the AYES.

Allix, J. P.
Antrobus, E.
Archbold, R.
Arkwright, .
Bailey, J. jun.
Baillie, Col.
Barclay, D.
Barnard, E. G.
Barrington, Visct.
Baskerville, T. B. M.
Bell, M.
Beresford, Capt.
Beresford, Major
Blackburne, J.
Blake, Sir V.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Bowes, J.
Bowring, Dr.
Bramston, T. W.
Broadley, H.
Brocklehurst, J.
Brodie, W. B.
Brotherton, J.
Browne, hon. W.
Buck, L. W.
Butler, hon. Col.
Byng, G.
Callaghan, D.
Campbell, A.
Cartwright, W. R.
Christmas, W.
Chute, W. L. W.
Clayton. R. R.
Clements, H. J.
Cobden, R.
Colborne, hn. W. N. R.
Colebroke, Sir T. E.
Collett, W. R.
Conolly, Col.
Coote, Sir C. H.
Crawford, W. S.
Denison, J. E.
Divett, E.
Douglas, Sir C. E.
Douro, Marquess of
Dugdale, W. S.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Duncombe, hon. A.
Dundas, F.
Dundas, D.
Easthope, Sir J.
Ellice, E.
Ellis, W.
Elphinstone, H.
Escott, B.
Esmonde, Sir T.
Ferguson, Col.
Ferguson, Sir R. A.
Feilden, J.
Ferrand, W. B.
Fleming, J. W.
Forster, M.
French, F.
Gibson, T. M.
Gordon, Lord F.
Gore, M.
Granger, T. C.
Greenal, P.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hamilton, C. J. B.
Hamilton, W. J.
Hampden, R.
Harris, J. Q.
Hastie, A.
Hay, Sir A. L.
Hayter, W. G.
Heathcote, G. J.
Henley, J. W.
Hill, Lord M.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Howard, hn. J. K.
Howard, hon. H.
Howick, Visct.
Hume, J.
Humphery, Ald.
Hutt, W.
Irton, S.
James, W.
Johnstone, Sir J.
Joliffe, Sir W. G. H.
Langston, J. H.
Lascelles, hon. W. S.
Lawson, A.
Layard, Capt.
Leader, J. T.
Lockhart, W.
Lowther, J. H.
Lygon, hon. General
Macaulay, rt. hn. T. B.
Mackinnon, W. A.
M'Taggart, Sir J.
Maher, V.
Mangles, R. D.
Martyn, C. C.
Maunsell, T. P.
Miles, P. W. S.
Miles, W.
Mitcalf, H.
Morgan, O.
Mundy, E. M.
Muntz, G. F.
Napier, Sir C.
Norreys, Sir D. J.
O'Brien, W. S.
O'Connell, D.
O'Connell, M.
O'Connell, M. J.

Ogle, S. C. H.
Ord, W.
Paget, Col.
Packington, J. S.
Palmer, R.
Pechell, Capt.
Pemberton, T.
Pendarves, E. W. W.
Plumridge, Capt.
Polhill, F.
Powell, C.
Praed, W. T.
Pulsford, R.
Ramsbottom, J.
Rashleigh, W.
Rawdon, Col.
Reade, W. M.
Rice, E. R.
Roche, E. B.
Round, C. G.
Rous, hon. Capt.
Rushbrooke, Col.
Russell, C.
Sanderson, R.
Sandon, Visct.
Sheppard, T.
Somerville, Sir W. M.
Stanley, hon. W. O.
Stansfield, W. R. C.
Staunton, Sir G. T.
Stewart, P. M.
Stuart, Lord J.
Stuart, W. V.
Stock, Sergeant
Strickland, Sir G.
Strutt, E.
Thesiger, F.
Thornely, T.
Towneley, J.
Tufnell, H.
Turner, E.
Vane, Lord H.
Vere, Sir C. B.
Verner, Col.
Vernon, G. H.
Vivian, hon. Major
Vivian, J. H.
Waddington, H. S.
Wakley, T.
Walker, R.
Wallace, R.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
Welby, G. E.
Williams, W.
Wilshere, W.
Wodehouse, E.
Wood, C.
Wood, G. W.
Wortley, hon. J. S.

TELLERS.

Lambton, H.
Liddell, hon. H. T.

List of the NOES.

Ainsworth, P.
Bagge, W.
Beckett, W.
Buller, Sir J. Y.
Cardwell, E.
Clay, Sir W.
Colville, C. R.
Denison, E. B.
Dickinson, F. H.
Du Pre, C. G.
Filmer, Sir E,
Forbes, W.
Grogan, E.
Hanmer, Sir J.
Holmes, hn. W. A'Ct.
Hope, A.
Hornby, J.
Johnson, W. G.
M'Geachy, F. A.
Manners, Lord C. S.
Manners, Lord J.
Marsham, Visct.
Master, T. W. C.
Mitchell, T. A.
Northland, Visct.
O'Brien, A. S.
Pigot, Sir R.
Pollington, Visct.
Shaw, rt. hn. F.
Smythe, hn. G.
Somerset, Lord G.

TELLERS.

Inglis, Sir R. H.
Knight, G.

Clause read a second and third time, and added to the bill by way of rider. Bill passed.

ORMESBY INCLOSURE BILL.] Mr. *Wodehouse* moved that the House agree to the Lords' amendments to the Ormesby Inclosure Bill.

Mr. *Wakley* opposed the amendments. He could not help feeling much surprise that no explanation had been given to the House of the nature of those amendments, or of the grounds upon which they were made. He hoped that the House would allow him to explain the nature of the transactions which had taken place. Several poor persons, whose interests were to be affected by the bill, came to that House, and were heard before the committee on the bill, and from that there resulted a compromise between the parties. The cottagers who had built on the common were content to obtain the terms thus offered to them, as the best that, under the circumstances, they had any chance of obtaining, though not, perhaps, all that they were fairly entitled to. The 55th clause was then introduced, which enabled the commissioners to sell the portions obtained by encroachment at such prices as would have been their value at the time when the existing buildings on them were commenced. The bill then went up to the Lords, and this clause was expunged from it without the least reference to the rights or interests of the poor cottagers, and now the House was called upon to annul the compromise entered into by the solicitors on both sides. The clause which the Lords introduced enacted that all encroachments made during the last twenty years, whether rent had been paid for them or not, should be deemed part and parcel of the land, and should be divided and enclosed; and the only proviso in this clause that was favourable to the cottagers was merely that they should be at liberty to take down the buildings which they had erected and to remove the materials for their own use; that was the boon granted to these poor cottagers. He ventured to express an earnest hope that the House would not agree to such amendments. To do so would be to give encouragement and support to every kind of jobbing and trickery before committees. They should recollect it was possible, in this case, that the promoters of the bill got rid of the opposition by consenting to the introduction of a clause which they knew would be expunged from the bill in the House of Lords. He was very sorry to find that two of the persons opposed to the interests of the poor in this case were clergymen of the Church of England; that was certainly not the way to make the Church respected. If the poor people were by this bill deprived of their holdings, no resource would be left to them but to go into a union workhouse. He should therefore move, that the House do not agree to the amendment of the Lords, and he hoped the House would send back the bill, declaring that no such amendment could be supported in that House.

Mr. *Wodehouse* said, there was no objection made by the promoters of the bill to the clause alluded to by the hon. Member, but it was quite clear, that if it were embodied in the bill, it would be made a precedent in other cases, and he believed the admission of it was dangerous.

The Lords' amendment read.

Mr. *Godson* said, that the rejected clause was similar to the one which he had endeavoured to induce the House to insert in the Kingsclere Inclosure, and the principle on which he supported the clause was this. He thought, that if a lord of a manor or his agent, saw a poor man take a piece of waste land, and took no notice of it, or accepted of a nominal rent from the poor man, after the poor man had expended 10*l.* or 20*l.* in building a cottage on it, the lord of the manor had no right to pull down that cottage afterwards; and it was but justice to the poor man, that he should have the opportunity of purchasing the land if he thought proper. There was no imputation on any of the parties concerned in the promotion of this bill. The clause had been brought in by agreement between all the parties concerned. The hon. Gentleman had talked about their setting a precedent. But in agreeing to the motion of the hon. Member for Finsbury, they would only be setting a precedent for agreement. It surely was not an objectionable precedent for the House of Commons to set, to enforce an agreement fairly entered into between the parties. Why could not that agreement be carried into effect? He understood it was because a very amiable nobleman, in another place, would not agree to it. The question was, if all the parties to a bill entered into an agreement, whether any nobleman ought to have the power of setting that agreement aside? If the bargain were a fair one, he thought that no Gentleman ought to have the power of setting it aside.

Mr. *Hume* said, that the House ought to understand, that the bill, before it went up to the House of Lords, contained a clause agreed to by all parties interested, for the purpose of protecting the cottages of the poor; and that the House of Lords had rejected that clause, substituting another of a most objectionable nature.

Mr. *Estcott* said, it appeared to him, that the question was, whether a contract made with these poor people, was to be kept or not. It had been specially agreed, that persons who had built upon these inclosures, whether legally or not, should be allowed to purchase the land at its value twenty years ago, and that they should be charged nothing for the buildings. Was that agreement to be violated?

Viscount *Duncan* observed, that he was a Member of the select committee, and he understood, that the opposition was withdrawn upon that ground.

Amendment agreed to.

Mr. *Wakley* moved, that a committee be appointed to draw up the reasons why the House did not agree to the Lords amendment, and to state those reasons in a conference to their Lordships.

Sir *E. Knatchbull* trusted the hon. Member for Finsbury would not be so liberal of his imputations on those who had undertaken the management of this bill, now that he found they were no parties to the amendment introduced by the House of Lords.

Viscount *Sandon* also trusted, that the hon. Member for Finsbury would withdraw his charges against the two clergymen of the Church of England, since it appeared they had no share in introducing the amendments complained of.

Committee appointed, and conference agreed to.

CONSUL-GENERAL OF TEXAS.] Mr. *Hume* said, in consequence of the news from America, by the last two mails, he begged to ask the right hon. Baronet at the head of the Government whether Captain Elliot was now consul-general of the Texas—where he was—whether he was now receiving pay from the Government —whether it was the intention of the Government to send him to the Texas, and when?

Sir *R. Peel* said, Captain Elliott is consul to Texas; he is at present in London; he is not in the receipt of pay, and will not be in the receipt of pay until he takes his departure; he is perfectly ready to take his departure; he is only detained at the instance of the Treasury, who are receiving explanations from him with respect to certain expenses incurred at Hong-Kong.

Mr. *Hume* doubted very much whether Captain Elliott, under the circumstances, was a proper person to be sent out.

BRITISH CLAIMANTS ON PORTUGAL.] Mr. *French* asked what had been the result of the mixed commission appointed to inquire into the claims of the British subjects who had been engaged in what was termed the war of liberation in Portugal in 1833.

Sir *R. Peel* said, that a commission was appointed by the noble Lord the late Secretary of State for Foreign Affairs, for the purpose of receiving and deciding upon the claims of British officers and soldiers who had served in Portugal, and who had rendered important services to that country. That commission had been receiving claims since the 10th of July last year; 2,065 claims had been rendered before that commission, 1,000 of which had been adjudicated upon. In 693 cases, there had been an award made, or at least a judgment delivered, that a certain sum was due. He believed the amount due in those 693 cases was 50,000*l.* In January last, the British Government made a strong representation to the Portuguese government as to the policy and justice of making some immediate arrangement for the liquidation of those claims; and certainly, the British Government had some reason to believe, that immediate measures would have been taken for adjusting this long-pending question. But just at the time when this adjustment was about to take place, the Charter was proclaimed in that country, and a change of government took place. The new government of Portugal, like other new governments, required time to consider the matter. But the British Government had urged upon the new government of Portugal the necessity of coming to some speedy arrangement; and as far as assurances could go, nothing could be more satisfactory than the assurances they had received that some definitive arrangement would soon be made. He had every reason to believe, that the new government of Portugal, as well as the old, admitted the perfect justice of those claims with respect to which awards had already been made; and he could assure the hon. Member that no exertion should be spared on the part of the Government of this country for the purpose of obtaining redress for these claimants.

THE NATIONAL PETITION — THE CHARTER.] Mr. *T. Duncombe* said, in submitting the motion of which I have given notice, I should not do justice to my own feelings, and should ill discharge my duty both to the House, and to those whose cause I am here to advocate, did I not, in the first place, express on their behalf their sense of the kind and respectful manner in which this House was pleased to receive the petition, that I had the honour of presenting from them yesterday. But I must now call upon the House to increase that obligation by lending me their patient hearing, while I, to the best of my ability, advocate the interests that are at stake, and state to the House the causes of that great distress under which the labouring classes of this country are at at present suffering. The individuals in whose behalf I now appear—at least the persons who signed the petition I presented yesterday, amount to very nearly 3,500,000. That was the number of signatures affixed to the petition; they were not, however, wholly the signatures of the male adult labouring population of the country. There were the signatures of a considerable portion of the wives of the industrious classes, and the petition contained also the signatures of several hundreds of the youth belonging to the same classes. But though this is so, yet I am prepared to prove, if required, that there are above one million of families of the industrious classes subscribers to that petition. We have lately seen two petitions presented by Gentlemen on the opposite side of the House in favour of what is called the financial scheme of her Majesty's Ministers. One of those petitions came from Manchester, and was signed by 24,000 of the mercantile and operative classes of that town. It was presented by the noble Lord, the Member for South Lancashire (Lord Francis Egerton.) The other petition was presented by the right hon. Member for Dorchester (Sir James Graham), and it proceeded from 3,000 operatives of the town of Carlisle. Both these petitions were in favour of her Majesty's Ministers. I do not wish to detract in the slightest degree from the importance due to those petitions; but if they are entitled to any consideration or any regard on the part of this House, surely a petition proceeding from 3,500,000 of the industrious classes, brought as it was yesterday to this House by many thousands of those classes, in a most respectful, orderly, and peaceful manner—certainly, such a petition is well entitled to the attention of the House. To that petition it is that I now call your attention; and I hope you will concede it, not on my own account, but on account of the petitioners whose cause I have to plead. It is not difficult to predict the sort of arguments that will be used against any motion made in this House by the sort of private conversation that passes among Members within these walls. I find from the conversation I have held with hon. Members, one great objection—I do not say it is the only one—is put in this way—"Is there any precedent for hearing these parties at the Bar in support of the allegations contained in their petition?" I wish that the only objection I had to meet was one as to the question of precedent. On the part of the petitioners I could sincerely desire that this was all it was necessary for me to prove, in order to obtain a hearing for them at your Bar. Were it so, I might in the first place call the attention of the House to what occurred in 1785, when a petition was presented, proceeding from the clergy, landowners, merchants, manufacturers, and others connected with Lancashire, against the duties on cotton stuffs, as calculated to involve those classes in ruin—and to diminish the public revenue, while it operated as a tax upon labour. They prayed to be heard at the Bar of the House; and this was a tax, observe, not then under consideration, but actually in existence.

> "It was ordered, 'that the said petition be referred to the consideration of a committee of the whole House, and that the petitioners be heard by themselves before the said committee, if they think fit.'"

The House did resolve itself into a committee of the whole House, and the petitioners were heard at the Bar of the House. In 1789, Mr. Wilberforce presented a petition from all classes in this country who took a very strong interest in the question of the slave-trade. Those petitioners were heard at the bar of the House, but that being found an inconvenient mode of proceeding, the petition in the following Session was referred to a select committee. In April, 1812, petitions were sent up from every part of Lancashire against the orders in council, and Lord Stanley moved that the petitioners should be heard at the Bar of the House. The motion was agreed to. Mr. Rose took part in the debate, and on that occasion said,

> "That it was due, he thought, to the wishes of the petitioners, that their prayers should be taken into consideration, and therefore he should not oppose the motion of the noble Lord."

Mr. Baring, (now Lord Ashburton) said—

> "That he was glad to see, that now petitions had arrived from almost every district in the country, that now the voice of the nation spoke aloud, Government had so far yielded as to consent to inquiry."

Lord Castlereagh, on the same occasion, observed—

> "That the vote he should give was not an admission upon the merits of the question, but merely a concession to the wishes of the country, to go into inquiry on the subject."

The question was then put and agreed to, and it was ordered that the committee on the orders in council should sit to-morrow, and be continued "*de die in diem.*" Witnesses from Birmingham, Sheffield, Manchester, &c., were summoned to attend on the motion of Mr. Brougham. Now, the petition I presented yesterday, proceeding as it does from every part of the empire, is equally deserving the attention of the House. I desire you not to decide upon the merits of that petition, but I request you to listen to the grievances which the petitioners are prepared to state at the Bar of your House. They will not only prove to you that a state of great distress exists in this country, but they will also prove, if not to the satisfaction of every man in this House, at least to the conviction of every unprejudiced mind, that those grievances arise from the neglect and misrepresentation of their interests within these walls. They will also state to you what they believe to be the remedy for the evils of which they complain. It will not be for you to decide to-night upon the merits of the remedy they may suggest; that will be for your consideration after having heard their statements. After you shall have heard their arguments, then it will be my duty to propose what I conceive would remedy and correct the abuses and mismanagement under which this country is now labouring. It is not merely as a matter of curiosity, but it is, in my opinion, necessary that I should briefly trace the history of the question of constitutional reform during the last fifty or sixty years. Though many call the Chartists of the present day wild and visionary persons, as if the points upon which they lay so much stress were first devised by them, yet I shall soon prove to you that many eminent men, both of this House and of the other House of Parliament, have long since advocated the same principles. The first time that this country seriously took up what was then called radical reform was in 1777. You will be pleased to observe, that this very subject has undergone all sorts of names, but they all resolve themselves into the same thing. When Major Cartwright advocated reform,you called him a Radical. At that time, the people almost repudiated the name of Radical as a stigma. Up to 1798, this feeling existed; but at that period, the Whigs took up the cause of reform, and then you called them Reformers. This designation was continued up to the period when the Reform Bill was passed; and now, those who were originally called Radicals, and afterwards Reformers, are called Chartists; but if you will examine the points upon which they stand, and the principles they advocate, these Chartists, in fact, are only the Radicals of former days. In 1777, Major Cartwright made the first move in favour of what is now called, in point of fact, the Charter. In 1780, a very numerous meeting was held in this metropolis, in favour of radical reform. By that meeting, a committee was appointed, called the Westminster Reform Association. And what did they do? What were the resolutions they passed? Why, they resolved upon what are now termed the six points of the Charter — annual Parliaments, universal suffrage—and so on. After this, a society was formed for promoting what was called constitutional information. At the head of this society, there was the Duke of Richmond, who was the president, supported by the Duke of Bedford, the Earl of Derby, the Earl of Effingham, the Earl of Selkirk, Lord Mountnorris, and about 166 highly respectable individuals. This association made a report, which they circulated throughout the country, advancing as sound constitutional principles the six points of the Charter. In 1783, great enthusiasm existed in favour of radical reform. But what happened then? A coalition, then, unhappily for all true Reformers, took place between Lord North and Mr. Fox. and from that moment all confidence in public men was lost. The public did not know whom to look to. They had relied upon Mr. Fox, and the Whigs, and they found, that by that coalition, the Whigs, with their leader, had deserted them. All activity on the part of the Reformers then, for some time, ceased. However, in 1792, the question was again taken up, and what was called the "Corresponding Society" was established, and Mr. Grey, now Earl Grey, was at the head of it. The Government found the Corresponding Society a very inconvenient society to exist, and means were taken to suppress it and put it down. In 1793, this society sent two delegates to Scotland. Those delegates were arrested by the King's Government, though they were doing, in fact, no more than what was being done by their principals in England. They were arrested, tried, convicted, and transported for fourteen years. The Government finding, that they had considerable success in Scotland, immediately instituted prosecutions against certain members of the Corresponding Society in London. Eleven members were arrested, and four of them were tried, but, fortunately London juries were not so pliant as the juries which the Government had succeeded in obtaining in Scotland. The four members were acquitted, and the remainder of the prosecutions were dropped. The association went on with additional zeal and enthusiasm in the cause; but, in 1798, a corrupt Government, and a still more corrupt House of Commons, found it necessary to suppress it by suspending the *Habeas Corpus* Act. Lord Grey was then in Parliament, and he declared, that although he did not go the full length of those individuals who advocated Radical principles, yet rather than that there should be no reform in this House, he would vote for universal suffrage. Any man is perfectly justified in saying the same thing now; and I maintain, that looking at the conduct of this House towards the industrious classes, it is quite consistent with the soundest constitutional principles to advocate universal suffrage. The *Habeas Corpus* Act was suspended, and for a considerable time—I believe, for nearly nineteen years—the people were, to a certain extent, quiet upon the question; but, in 1817, the same feeling came into existence again, and a great cry was raised for Parliamentary reform. What happened in 1817? Why, the *Habeas Corpus* Act was again suspended, and that once more put down the cause. In 1819, the Manchester massacre took place, and the country was almost in a state of rebellion. This went on up to 1829, when the right hon. Baronet conceded to the claims of the Irish people; the grievances of the Catholics were redressed, and Catholic emancipation was granted. That, it is true, was done at the expense of the 40*s*. freeholders. What was the next step taken, which assumed anything like the character of reform—I call it reform, because it altered the constitution of this House? From 1829 to 1830, I need not remind the House of the state the country was in, when the Tory Government of that day were obliged to abandon the helm of Government. I need not remind you, that in consequence of the declaration of the Duke of Wellington against all reform, the Sovereign was not able to partake of the hospitality which the citizens of London offered, because his Ministers were so unpopular. I need not remind you of the disturbances, the scenes of riot, and the acts of incendiarism which took place in Kent at that period. The Government was changed, and the Whigs came into office. The first step they took in the following year was to introduce the Reform Bill. I believe, that those individuals who framed the Reform Bill and introduced it into Parliament were perfectly honest and sincere. The intention was greatly to improve the representative system of the country, and the people believed, that great advantage would result from it. They have been grievously —I will not say deceived, but disappointed—disappointed to the utmost extent of their hopes. All who now hear me must recollect the enthusiasm which prevailed—they must recollect the black flag of Glasgow and the fires of Bristol. But at the general election in 1834, the people found that great difficulties were thrown in their way with regard to registration. They were prevented from registering their votes, and the same system has been continued to the present hour, while the Conservative party have not failed to adopt the advice of the right hon. Baronet, and have taken care to perfect every vote they could possibly make available. What has been the consequence? That there now exists a general dissatisfaction and discontent with the Reform Act. Nobody thanks you for it: on the contrary, everybody believes, though everybody may not say, that this House is more corrupt, more dishonest, and more disposed to what is called class-legislation, than even the notoriously and avowedly venal House of Commons as it existed before the passing of the Reform Act. And for my own part, when I watch your proceedings, when I mark the reports of your committees, and when I remember all that took place at the last general election, I must say, that the people have, as stated, come to a just conclusion in this petition, that "the corruption, the bribery, and the intimidation, which were then practised are best known, and known to their fullest extent, by Members of this House." Then, here we are in the year 1842, not merely in as bad, but even in a worse condition than in 1830. I do not believe, that the House and the Government are fully aware of the state of the public mind or of the state of the country at this moment. It will be my duty, my painful duty, to inform the right hon. Baronet upon these points—as to the state of the public mind on the question of reform, and as to the distress under which the industrious classes are labouring in all parts of the kingdom. It has been said, that the accounts of distress are exaggerated, but I do not believe, that the House is yet in possession of anything like a just account of the real amount of suffering, or is by any means fully informed as to the strong feeling of the people against the political bondage in which they find themselves. The House is perhaps not aware that the petition I had the honour to present has been, to use a common term, in a course of signature for the last three or four months. The persons who have interested themselves about it have formed themselves throughout the country into what are called national associations, in order to procure for the working classes those rights which they maintain the ancient constitution of this kingdom gave them, intended them to retain, and of which they have been deprived. There are about 600 of these Chartist associations in England and Scotland, and nearly 100,000 adults of the industrious portion of the community lay aside one penny per week of their wages for the purpose of carrying on and keeping up agitation in favour of their claim to the elective franchise. Between 50,000 and 60,000 of these have taken what are called cards, and thereby pledge themselves that as long as they receive one shilling of wages they will set apart a penny per week, and will never rest until their voice is heard within these walls by representatives of their own free choice. If you think the signatures to the petition are fictitious—if you think the working classes are not earnest in their claims—you grossly deceive yourselves. Never were the people so determined as at the present moment by every constitutional means to obtain the franchise. So determined are they, and so organized, that I do not believe you will be long able to prevent their voice from being heard in this place. The distress under which they are so severely suffering swells the cry, and renders it more audible and piercing. It is natural—it is proper that it should. When they see their interests disregarded and their feelings insulted, and when they have no hope of better times or better treatment, unless they work out their own redress—when you offer them mere words, and endeavour to stop their cravings by the delusive promises of a Queen's speech—when you tell them that "you feel extremely for the distresses of the manufacturing districts, which they have borne with exemplary patience and fortitude," but offer them no remedy beyond your compassion—what can you expect but that they should make their way to this House, and, as you will do nothing for them, endeavour to do something for themselves? I will now show the House, as briefly as I can, the progress which distress has made in the manufacturing districts. Individuals have been sitting here in convention in order to see the petition I presented yesterday fairly landed in this House; and in answer to my inquiries, they made statements which at first appeared to me almost incredible, but which I found fully confirmed on the most unquestionable testimony. I have had, I dare say, five hundred communications on the subject, and out of them I have selected a few, to which I earnestly request the House to listen with patience and commiseration. The first is from Sheffield, and is in the following terms:—

" *Sheffield, May* 1, 1842.

" The total number of signatures sent from Sheffield will number 27,200. Sheffield is in a deplorable state. The number of inmates in Sheffield poor-house alone up to the 23rd of April, numbered 574. The relief to the regular ticket poor in money and bread for the week ending April 23, amounted to 92*l.* 10*s.* For the last five weeks the number of new applicants for relief have averaged 200 weekly. The weekly payments to the casual poor in the first five weeks ending yesterday week were as follows:—March 24, 201*l*: April 1, 229*l.*; April 8, 248*l.*; April 15, 274*l.*; and April 22, 298*l.* One month increased, 97*l.*, although the season is improving. The foregoing will give you some idea of the state of this once prosperous town; it is said that the trades societies are about to break up, unable longer to keep up their funds: if this should be the case, hundreds, perhaps thousands, will be added to the ranks of the pauperised and destitute. Sheffield is tranquil at present; that it will remain so for any length of time, with starvation and misery increasing daily, is very doubtful."

My next evidence is from Wolverhampton, and it is this:—

" *Wolverhampton, April* 29, 1842.

" The colliers, nailers, mechanics, and labourers, are in a state of poverty and degradation, disgraceful to a civilized country. The supply of all kinds of labour being greater than the demand, the operatives have no power to prevent their wages being continually reduced. The miners and nailers are now out of work, in consequence of their masters having attempted to make a great reduction in their already too scanty wages. The general impression of the working men in these parts is, that their cause of complaint can never be effectually removed unless they possess the power of choosing their own representatives. The whole of this district is in an alarming state of agitation. Chartism is rapidly progressing. Towns and villages, where even the name of Chartism a short time ago was unknown, now have their Chartist association; and, unless some effective measures are speedily adopted for the removal of the present alarming distresses of the toiling sons of industry, the consequences are likely to be most serious."

The following is from another part of the country:—

" *Burnley, April* 18, 1842.

" My dear Sir;—In answer to yours of the 15th instant, I can only say that it would be useless to attempt to send you a statement of wages, &c., as you desire, for if I did so, before it reached your hands it is likely that there would be a material reduction. I, therefore deem it sufficient to state to you, in a genera way, the state of the town and neighbourhood; and after you have read the statements, you may, if you have an opportunity, read it to Sir Robert Peel and the Government.

" The working classes are in an awful state of destitution; there are hundreds out of employment, and those that are employed, or partially so, cannot by their earnings procure a sufficiency of food.

" I can assure you, Sir, that all are in a feverish state of excitement. I never, in the course of my life, saw this part of Lancashire in such a state; and I am one of those who have watched well the motions of the people. ‘Coming events cast their shadows before.’ Meetings—large meetings—consisting of thousands, are being held almost daily, to take into consideration what shall be done to prevent the multitude from starving to death: and, after mature and deliberate consideration, they come to the conclusion that they have but one alternative, namely—to take it rather than starve.

“Sunday week there was a numerous meeting on Whitmoor, on the confines of Yorkshire and Lancashire. Thousands assembled from places within twelve or fourteen miles distant. Yesterday, on Marsden-height, there was another, of at least 7,000. To-day 10,000 have met at Colne, and at each of these meetings there is but one opinion, and that is, that the Charter must become the law of this land before any permanent good can be effected for the working-classes.

“A portion of the mills in Burnley are shut up, and the remainder are running short time. There will be meetings held every Sunday during the sitting of the Convention; next Sunday on Enfield, the Sunday following on Derply, and so on throughout the district.

“I can assure you, Sir, that when news arrives in Burnley of a bad market in Manchester, it is received with joy, and a good market the contrary. The cry is—it is hastening the crisis.

“This is a fearful state of things. A people must be bordering on despair when what was formerly considered as disasters are hailed with general joy. It would be well for the Government to look to these things, ere it is too late. The people cannot suffer starvation much longer—hope is fled; and God only knows where this state of things will end.

“The hand-loom weavers—poor fellows—they are compelled, against their very nature, to turn out into the streets and beg. On Saturday last they were begging from door to door, driven to it from sheer want. The police made an attempt to take them into custody, but the brave but starved fellows resisted, and the police made a virtue of necessity and left them alone.

“To-day a case has been brought before the magistrates of a young man from Padiham who, driven to desperation by starvation, broke two panes of glass, in a shopkeeper’s window, in order to get sent to prison, so that he could get something to eat. His mother is a widow, with six children, he the eldest, and all of them out of work. They had 4*s.* weekly allowed them by the board of guardians to maintain six children and the mother (who was sick); the young man took the children before the guardians, and solicited further allowance; it was refused, and he stated before the magistrate to-day, that when he asked the overseer what he was to do, he told him he must go and steal; but the young man preferred breaking windows to stealing, and the humane magistrate committed him to Preston house of correction for one month, the young man thanking him kindly for the boon. That heart, indeed, must be steeled against the feelings of humanity, that can contemplate such a state of things as this without endeavouring to remedy it. The above, Sir, I will vouch to be correct. I have not in the least exaggerated; indeed, Sir, I fear it is far short of the real picture.

“Yours, &c.”

I have similar accounts from some of the midland districts, from Leicester, Loughborough, Mountsorrell, Sheepshead, and Hinckley, respecting the stocking and other trades carried on in that part of the kingdom; but with these, perhaps, it is unnecessary for me to trouble the House. Distress of the severest kind also prevails in the metropolitan counties; all trades are in a most depressed condition, and let me tell the right hon. Baronet, that his tariff will only make that condition worse. But I will now go to Scotland, and will read to the House most heart-breaking accounts from the vale of Leven. It appears that wages there vary from 7¾*d.* to 0¼*d.* per day, and scores of families have never tasted animal food for various periods—some, I think, not for twenty-eight weeks, oatmeal boiled in water and sweetened with a little sugar being the principal diet of the unfortunate operatives. The subsequent is one of the communications I have received from thence:—

“At your request I present you with an account of the situation of the people I represent in the Convention. The spot from which I was sent is known by the name of ‘The Vale of Leven,’ one of the most beautiful spots in Scotland; on the banks of the silvery stream that runs through it are a great many print-works. Its population in 1841 was as follows, comprising three villages:—Bonhill, 2,115 persons; Alexandria, 3,060, Kenton, 2,326; making a total of 7,501. The following estimate, the result of a careful investigation, will give you some idea of the extent of destitution; it includes only Bonhill and Alexandria, and takes up a period of twenty-eight weeks:—There were, on an average during that time, four persons at 7¾*d.* per day; 2 at 7*d.*; 6 at 6¾*d.*; 11 at 6½*d.*; 5 at 6*d.*; 21 at 5½*d.*; 11 at 5¼*d.*; 13 at 5*d.*; 14 at 4¾*d.*; 10 at 4½*d.*; 11 at 4¼*d.*; 31 at 4*d.*; 28 at 3¾*d.*; 96 at 3½*d.*; 10 at 3¼*d.*; 89 at 3*d.*; 31 at 2¾*d.*; 151 at 2½*d.*; 65 at 2¼*d.*; 135 at 2*d.*; 126 at 1¾*d.*; 128 at 1½*d.*; 15 at 1¼*d.*; 55 at 1*d.*; 31 at ¾*d.*; 28 at ½*d.*; 9 at ¼*d.* per day; and 65 in that period with nothing at all. This statement numbers in all 1,211 persons. I know scores of families who had never tasted animal food in that time; oatmeal boiled in water, sweetened with a little sugar, is their principal diet. Notices of ejectment are being served by landlords to their tenants, and proprietors of houses are refusing to let their houses unless the applicant can find a surety for the payment of rent—a task, being unemployed, they find it difficult to accomplish. Dumbarton is suffering a vast amount of destitution; the carpenters are nearly out of work. Kirkintilloch contains many weavers, and, after toiling twelve or fourteen hours daily, can go home with about 5*s.* weekly. Campsie, in Stirlingshire, with a population of 5,000, is suffering much from destitution; many of the men are out of work, and plenty more are only on half time. The great body of the people look to universal suffrage as the only hope left them, believing that no House of Commons, but one representing the whole people, will permanently remedy the abuses of which the working classes complain. These are a few facts connected with my district; you are at liberty to use them as you think proper in the House when presenting the petition. Hoping that you may long live to enjoy the confidence and esteem of that people of whose liberties you have stood the uncompromising advocate.

I remain, dear Sir,
Yours in the cause of public justice,
William Thomason,
Member of Convention.

"I do not know whether I am balloted for to speak at the Bar of your House if your motion is acceded to; I should be most happy, if called upon, to answer any questions it is in my power to reply to, calculated to show the condition of the people."

What I am now about to read is from Edinburgh, and it shows that in all quarters, there exists the strongest determination, by constitutional means, to change the composition of this House:—

STATEMENT OF THE DELEGATE FROM EDINBURGH DISTRICT.

"In every part of the east of Fifeshire, the population are suffering from extreme poverty, more especially East Wemyss, Markinch, Kettle, and their surrounding neighbourhoods. The people are chiefly employed in linen weaving of various kinds, many of them cannot earn above 6*s.* per week by long hours of labour while at the piece, and for the last four months, large numbers of them have had to wait one, two, three, and some four weeks, before they get another piece or web out. Were it not that being in an agricultural district, they are enabled to plant and procure potatoes cheap, they could not live—their dwellings are generally ill-furnished, and were it not that they struggle on in their sufferings, being buoyed up with the hope that legislative changes will come to their relief, they would sink into recklessness and despondency, for how they contrive to subsist they scarcely know themselves, except from the fact that not having died, they must have managed to keep life in. Trade of all kinds is very dull, but of course, the labouring classes feel the pressure very much. In and around Edinburgh, there are very large numbers of men out of employment, so much so, that it is only working men or as such as I am in communication with, that can know it. In Dalkeith, there is also great distress from want of employment. In the currying trade, there is a complete stand; also some others that are afraid they will be affected by the tariff; where they formerly had large numbers of men employed, they now have only one or two."

The *British Statesman* is a newspaper devoted to the interests of the people, and a short time ago, there appeared in it a statement, that in the neighbourhood of Burnley a cow which had died of disease was buried by its owner; the people were driven to such straits by famine that they actually disinterred the cow in order to convert it into food. A respectable individual of the name of Livesey, known I believe to some hon. members who hear me, wrote a letter to the editor of the newspaper after he had ascertained the fact, and it was in these terms:—

"I received a letter from Master Brown, of Burnley, March 1st, containing a statement that such was the distress of the poor in Pendle Forest, near Burnley, that a dead cow had been disinterred and eaten for food. The statement was so revolting to my feelings, though requested to publish it, I could not help suspecting that it was either a fabrication, or much exaggerated. I therefore wrote to Mr. Brown to get a certificate of the fact signed by six respectable persons, and I received the answer inclosing the certificate of the horrible fact given below.

"Jos. Livesey, 28,
Church-street, Preston.

"'*Higham, March* 3, 1842.

"'This is to certify, that Thomas Horne, of this place, had a cow died on Wednesday, the 23d day of February last, which he buried, and that it was afterwards taken up to use for food.—As witness our hands,

"'Thomas Lord
"'Thos. Horne, owner of cow
"'Thomas Auty, weaver
"'Joseph Wood, grocer
"'John Aspden, farmer
"'John Lord, weaver.'"

I have also recently received a Manchester newspaper, containing a statement respecting the appeals made to the charitable on behalf of the soup-kitchens: but that I am afraid of wearying the House I would read it, but the appeal was made from the pulpit only a few days ago, and the statement respecting it is signed "William Herbert, dean of Manchester." Does not evidence like this show the miserably distressed condition of the labouring classes? This, too, on the 26th of April last, hardly a week old! The petition I presented yesterday contains a strong statement respecting the sufferings of the people, and that condition is attributed to the defective state of the representation of the House. The subscribers say that it is impossible that a country like Great Britain should have fallen thus low, if there were not some gross defect in the manner in which the interests of the working classes are represented within those walls. After what I referred to under the name of the Dean of Manchester, I must trouble the House with a document in the form of a proclamation from the magistrates of Burnley issued within the last few days. It runs as follows:—

"Public Notice.—Whereas, a practice has recently prevailed in Burnley, and the neighbourhood, of large numbers of persons going together to private houses, and also of parading the street, highways, and other public places, to beg and gather alms, which conduct is illegal, and subjects such parties to the punishment provided by the Vagrant Act. And whereas such practice is also calculated to create terror and alarm to the peaceful inhabitants of the town and neighbourhood. Notice is therefore hereby given, that with a view to check such illegal practices and to preserve the peace and tranquillity of the neighbourhood, it is thought advisable to issue this public notice or proclamation, that the law will be put in force against any parties so assembling in the manner and for the purpose aforesaid.

"By order of the Magistrates.

"Burnley, 25th April, 1842."

Thus we see that not individuals but a whole population in masses were compelled to go about from door to door begging alms, and what is the answer which the unhappy and starving operatives make to the preceding document? It is the following; and let me add that it is very much to their credit, and shows that, even though suffering almost the last stage of want, they are still patient, rational, and forbearing:—

"V. R.—TO THE MAGISTRATES OF THIS TOWN.

"The unemployed and starving operatives of this town feel disposed to put a plain question or two to the above authorities, as they find themselves placed in rather a curious position. Now we wish to know how long it is possible that a town like Burnley, under the present circumstances, can be rendered peaceful and tranquil, while hundreds, yea thousands, are, by oppression and misrule, thrown upon the once lovely and pleasant, but now, alas! miserable degraded streets and lanes of this town and neighbourhood? Under these circumstances they find themselves bound, by the nearest and dearest ties of nature, to make the inquiry.

"What, as human beings, are we to do, after having been deprived of every comfort, and almost every necessary of life, after having applied to our several parishes, without anything like reasonable success, and when now by starvation we are compelled to expose ourselves and families to public inspection, in order to crave a portion of bread for our miserable starving wives and children, we are even denied this right by those persons from whom we ought to have expected better things? And we say that to close the scene of misery the law is consulted, and about to be introduced, and simply for the purpose of smothering the cries of the widow and the fatherless; but even those who have the law to back their proceedings, must at the present crisis be very cautious how and to what purpose they apply its restrictions, because we, though out of work, cannot live without (at least) some of the necessaries of life, and we must have them from some where. We wish not to do injury neither to persons nor property, but at the same time we cannot lay ourselves down and die.

"What saith the scriptures in support of these allegations? Doth it not say that, 'He that will not provide for his family is worse than an infidel.'

"And also, 'They that be slain with the sword are better than they that be slain with hunger.'—Lamentations, c. iv. v. 9.

"By order of the Starving and Unemployed Operatives of Burnley.

"Burnley, April 26th, 1842."

Such being the condition of the people, let me ask you how long you mean that they should remain in it? Let me ask you whether it is possible for them to remain in it? Will you not, at least, give the parties who signed the petition an opportunity of being heard at your Bar, that they may tell you the grievances under which they labour, and the mode in which they think they may be relieved. I should like to hear from her Majesty's Ministers—from the right hon. Baronet at the head of the Government, by what means he proposes to remedy these evils? He surely does not mean to contend that his Income-tax and his tariff will cure them—that Income-tax which is to reduce the middling classes to a level with the lower orders, and that tariff which is to throw thousands out of employ, and to drive them into the workhouses. Does the right hon. Baronet mean to resort to the suspension of the Habeas Corpus Act? Does he mean to put down the Chartists by force? I hope not. I hope that he means to use no weapons but those of reason and conciliation. I hope that there is no disposition in the House (I saw none yesterday) to treat the petition with slight or inattention. I know that it contains many paragraphs from which the majority of those who hear me will dissent; I do not say that I subscribe to them all myself; but I am sorry to see that a portion of the press, the organs of the party opposite, are endeavouring to throw ridicule upon the signatures attached to the petition. When, however, I find fault with one portion of the Ministerial press, I am glad to see that by another portion the petition is treated with some degree of respect. I refer to the *Morning Herald*, which, in one of its leading articles of this day, speaks as follows:—

"The petition was signed by 3,315,752 persons described as belonging to various sections of the industrious classes of the country. Allow a vast deduction for signatures not genuine, signatures repeated even in duplicate and triplicate—and perhaps we ought still to assume that this is the petition of a vast body of the people, who are urging on their growing demand for the fatal, the destroying boon of universal suffrage—in terms; in its effect, universal anarchy! Are there in the long catalogue of political grievances and evils to which these hosts of petitioners ascribe so much of the positive suffering of enormous communities of their countrymen—are there any, the destructive tendencies of which are at once undoubted and susceptible of remedy? Are there any, to which the Legislature and the Government, without compromise of their constitutional functions and state responsibility, can apply a healing and a saving hand? If there be, we trust that nothing in the well-known characters and schemes of a few artful demagogues, who prey on the unsuspecting credulity of their deluded followers—that nothing, even in the notorious trickery and cheating which are resorted to, in order to swell the volume and multiply the subscriptions of these huge petitions—may be permitted to interfere with duties of an importance so paramount."

I deny, on the part of the petitioners, that there has been any cheating or trickery to swell the volume of the petition; but I entirely agree with the writer of the article I have read, in trusting that nothing will interfere with the discharge of your duty to the petitioners by hearing what they have to say, and by applying your minds to the consideration of the remedy they propose. Let me ask if there be any hon. Member present who witnessed the peaceable, respectful, and orderly demeanour of the individuals who came down with the petition yesterday. Have not their proceedings throughout been characterised by forbearance, regularity and decorum. Have they evinced anything like a disposition to resort to physical force, or is there one word respecting it in the petition. If it be supposed that there is any such expression, let me assure hon. Members that it has been entirely misunderstood; some may object to the petition because it prays for the repeal of the union with Ireland; and upon this point I am authorised to state that the petitioners mean no more than to repeat the words of Lord Althorp, now Earl Spencer, when he observed:—

"If I found that the majority of the people of Ireland was in favour of repeal, I should say that no doubt they were entitled to it; but as long as the majority is the other way I shall support the union and resist the repeal of it to the death."

The petitioners apprehend that the majority of the people of Ireland are in favour of repeal, and therefore they are entitled to it. I think that they are mistaken, and I think moreover that if the majority of the people of Ireland were of that opinion they would soon find their error; but that is all that the petitioners mean. In order to show the views, and to explain the conduct of the whole body, I shall venture to read the last address of the National Convention of the industrious classes, issued only a few days ago. It runs in these terms:—

"The National Convention of the Industrious Classes, to the Suffering and Starving.

"Fellow countrymen—We have received many important communications from various districts, describing the excitement and dissatisfaction which prevail in the minds of those who have been driven into poverty and starvation by political causes, which they have no power to destroy, and scarcely any liberty to describe in Parliamentary petition. We have decided on petitioning Parliament on Monday, the 2nd of May, to be heard at the Bar of the House of Commons, to lay before the world a full and honest statement of the cause of your grievances, the extent of your sufferings, and the grand remedies to be proposed for the immediate and permanent removal of all natural suffering and social wrong. We wait with patience and subdued feeling the result of our mutual prayer. We are fully sensible that it is almost a mockery of justice to ask the starving to be submissive, and the injured to bow their famished bodies to the footstool of oppression; still the sacredness of our cause, and the hopelessness of all attempts at violence, are sufficient to guide us in now calling upon you to abstain from any act likely to bring our principles into dispute, and dye deeper the red banners of despotism with the blood of our brethren. We deeply sympathise with you. We have expressed our hostility to the system which has stripped you, misled you, repressed your murmurs by force, subdued your complaints by a demonstration of steel, and threatened butchery. You ask us for advice. We counsel you to watch the decisive answer of the Government. The month of May will bring the intelligence to you. You ask us how you are to act. Await the decision of the National Convention. Your delegates will carry with them the results of our deliberations; and rest assured that we are too much alive to the danger of collision with an armed Government ever to advise, and we possess too much experience ever to recommend violence as the course to be adopted in our struggle for justice.

"Fellow countrymen—We have heartily, yet decidedly, adopted this course, out of regard for you as well as out of respect for those principles which have progressed by the aid of reason alone, and need no other argument, greater than present necessity, to enforce them on the Legislature. We have placed it in the power of the Government to appease the rising indignation of millions by granting their advocates a hearing. We now await the result, and all we desire from you is, to sacrifice feeling for a time, and imitate us in the practice of rational patience, at the same time that we prepare to advise you on the future course to be pursued the moment the Legislature have given their negative and affirmative to a nation's demand.

(Signed) "ABRAM DUNCAN, Chairman
"JOHN CAMPBELL, Secretary."

That is what I ask on behalf of the petitioners: listen to the earnest appeal they make for a hearing. The least they can ask, and the least you can grant, is that those who are so severely suffering should explain to you the causes and the remedies for their grievances. The hearing cannot occupy long, the number of persons who will appear at your Bar will not exceed six, and it could not occupy more than two days; but if it took ten could it be better spent than in attending to the complaints of those whose patience alone petitions for your consideration? You may think many of their arguments absurd, their schemes of redress wild and visionary, be it so; but do not decide against them without hearing them; do not shut your door against their grievances until you know what they are and the remedies they suggest. I do not know that I need trespass longer on the patience of the House. I have stated the claims of the petitioners, I have proved to you the dreadful nature of their present condition; if not, I have not done my duty, I have many other documents and details to the same effect, which, if necessary, I could produce. I have shown how the cause of radical reform, or chartism (call it what you will), has gradually advanced, and if you doubt either the distress or the advance, hear the petitioners at your Bar. If they fail to convince you, the fault will not be yours, and by hearing them you will give them a practical contradiction by showing that you are so far identified with the people. You will also obtain some portion of what I sincerely believe you stand much in need of—the confidence, affection, and gratitude of the great body of the nation. I beg leave to move—

"That the petitioners, whose petition I presented yesterday, be heard by themselves or their counsel at the Bar of the House."

Mr. *Leader* said, that he had been requested to second the motion, and he did so with great pleasure, although, after what had been so well said by his hon. Friend, little had been left for him to remark. The matter might be compressed in a very few words. The sufferings of the people were admitted; the patience of the people under their sufferings was also admitted. A vast number of the working classes now came forward and asked permission to state their grievances, and the proposed remedies, at the Bar. Would the House hear them, or would it refuse to hear them? That was the whole question. He could not possibly doubt the sincerity of the petitioners, nor could he doubt the number of the persons interested. True it was, that one of the newspapers supporting the Government, that which had the largest circulation in the country, had sneered at the proceedings of yesterday, had asserted that only 15,000 or 20,000 were present, that it was rather a May-day show, than a political demonstration, and that the signatures of 3,500,000, could not, by possibility, be genuine; but nobody pretended, that all the names were those of grown men;

many were avowedly those of women, and others were the names of young men who had not yet reached the age of twenty-one. Of any one who doubted the sincerity or the numbers of the petitioners, he would beg to ask whether it were not a matter of notoriety, that at every public meeting, during the last two or three years, and especially during the last year, no topic had attracted so much the attention of the people as what was called the Charter? It was mere blindness to doubt the sincerity of the working classes, or the increasing numbers with which they came before the House, and prayed to be heard as to their grievances, and to suggest a remedy. He confessed he thought it would be a good thing, not only for hon. Gentlemen opposite, but for all men in that House who were not used to go to public meetings, to hear the petitioners at the Bar, and to be convinced of the intelligence, the ability, and the integrity of the men who were now excluded from the franchise, and who claimed to have a voice in the representation of the people. His hon. Friend had referred to numerous precedents for the course he proposed, to calm the nerves of those who had a dread of such a proceeding. The precedents were indeed numerous. Many in that House would remember, that Lord Brougham was heard against the Orders in Council, and what was the effect of that hearing throughout the country? Most would recollect, that the hon. and learned Member for Bath was heard in defence of those whom he represented—the Canadians of Lower Canada—this was precisely a case in point, for the colonists were unrepresented in that House. The present petitioners were even in a worse position than the colonists, for they were Englishmen living in this country, paying the taxes, obeying the laws, and yet having no voice in the election of those who laid on the taxes, or made the laws. He recollected, that he had been told by a late Attorney-general (Lord Campbell), after the prosecution of the Chartists for holding seditious meetings, in a tone of exultation, that "Chartism was entirely put down." He told Lord Campbell, then, as he told the House now, that the violence of Chartism had passed by, but that Chartism existed. / He had heard last night all attempts at physical force, and all appeals to violence, repudiated, and that the Chartists appealed only to the moral force of millions of intelligent men, seeking their rights. He had told the late Attorney-general, and he now repeated the statement, that the real principle of Chartism would never be put down till they had redressed the grievances, and remedied the complaints of the people, or had included within the pale of the constitution, those who were now prevented from exercising the right to vote. With respect to this petition, he had no doubt, that any hon. Member on the opposite side of the House, or on his own, would be able to pull it to pieces, and to show that it contained some unwise paragraphs. He could imagine some clever writer in the *Quarterly*, or some brilliant reviewer in the *Edinburgh*, throwing some smart and pointed ridicule upon the petition, and calling upon the House not to listen to its prayer. That could, and, no doubt, would be done; for, talking one day, with a friend, who did not happen to agree with him in politics, on this very petition, his friend showed under what heads the paragraphs might be placed, and how the opinions might be classed. "These," said he, "go to doing away with the Monarchy; these go towards the abolition of the national debt; these go towards doing away with Church Establishments." The very fact, however, that the petition was sneered at, and ridiculed, would make many persons look more closely at it, and, in fact, made out the strongest case for what he now asked, that the petitioners should be heard to state their opinions of what they meant. Every one knew how difficult even an act of Parliament was to be understood without explanation, and how difficult it was to frame a measure clearly defining what was intended: why, then, should they ask more of the petitioners, or call upon them to clothe their views in language which would be intelligible to every body? He only asked the House to hear them state what they thought ought to be done. He believed, that their demands were to be found in a few words in the Charter; and that they required a wide extension of the suffrage to all male adults, the vote by ballot, the abolition of a property qualification, the payment of Members, and electoral districts. The House had had before them various parts of the Charter. Many able and intelligent men had advocated different portions, and yet the subject was treated as if there was something about the name of the Charter, which temperate men felt they could not entertain. Most hon. Members could not forget that his Friend, Mr. Grote, had brought forward the ballot; that his Friend, Mr. Warburton, had sought to change the property qualification; that his Friend, Sir William Molesworth, had done the same; and that other Members had brought before the Legislature the questions of an extension of the suffrage, and of electoral districts. These, however, were not questions then before the House. The simple question was, would they hear the petitioners, or would they refuse to hear them? If they wished to recover the affection and the confidence of the great body of the people, the House would not refuse their reasonable request, to be heard in their own case. He believed it was an unwise maxim of Government to rule by means of the fears rather than the affection and good feelings of the people; and believing that, he asked them to grant the request of the petitioners to be heard at the Bar.

Dr. *Bowring* rose to support the motion. More than 3,000,000 of the people now asked to be heard by those who called themselves the representatives of the people. They felt themselves oppressed—they felt themselves humiliated by that Legislation which denied them the right of representation, and they knew there were no substantial grounds for their exclusion. They had in proportion to their means made greater sacrifices than the more privileged and opulent of their fellow-subjects. They could not understand why greater wealth should imply greater aptitude for political sagacity — why the rights of citizenship should be monopolized by the few and denied to the many; but they knew by experience that the privileged few did exercise their authority, not for the interest of the subject many, but for their own special and sinister interests. He did not mean to say that all the allegations in the petition could be borne out, if the petitioners should be allowed to state their case at the Bar of the House; but they believed they could substantiate them all, and that belief of the petitioning millions was entitled to respect. Look at this petition—it is not an ordinary one—it is unexampled in importance—it contains a greater number of signatures than any petition ever before presented, and he did not see how they could refuse to hear the petitioners at the Bar of that House, which was created for the purpose of protecting the rights and redressing the grievances, and of course of listening to the opinions of the people. He could see nothing but what was wise and reasonable in their desire to be represented. Those who valued political rights ought to look with some regard and affection on those who also desired to obtain them. If our fathers deemed it their duty to struggle for the attainment of their rights, into the possession of which the present generation had entered, ought they not to look with some regard upon those who were struggling for the same privileges and the same advantages? The time was, when the greater part of the population was in a state of vassalage. Little by little they were admitted into the pale of the constitution. Rights were recognised which had been denied to the many. Now there were millions of individuals who sent representatives. Was it a wonder that those who were excluded were impelled by an intense and active wish to obtain equal rights with their neighbours? Why was it that this desire was so strong, so irresistible? Why had it pervaded all classes of society? Because the Legislature had not redressed the grievances of which many had to complain—because it had not removed those evils which were within the reach of legislation—because it had not produced that sum of prosperity and happiness which ought to be the result of laws which emanated from a House charged to provide for the well-being of the whole community, in so far as that well-being could be advanced by wise and benevolent laws. There was one principle which these petitioners put forward, which would be advocated by all who desired that the constitution of this country should be a really popular and national constitution. A government founded on a wide representation was, after all, nothing but a recognition that government represented public opinion, and the most enduring government must be that which had the greatest mass of public opinion to support it. The petitioners complained, and they had a right to complain, of the length of Parliaments. They saw gentlemen obtain a seat in the legislation, and hold their position year after year, beyond the reach of responsibility. If their votes were not in accordance with the opinion of their constituents where was the redress? They might remain unrepresented for years, and they properly asked that Parliament should be more frequently elected. They asked also for reform in the representation as regarded the electoral districts. Could any thing be more monstrous, more unjustifiable, more unreasonable, than that a certain part of the community, certain of the smallest towns, should have a representation equal in amount to the representation of the most populous cities. Was that a state of things which ought to continue? Should 100 men in one locality be as influential in the creation of the laws as 100,000 men in another? The House had already recognised the principle of extension for which the petitioners were now contending. When in the progress of time the population of towns which were important when the rights of representation were conferred was annihilated or greatly diminished, this House interfered and took away the representation. It thus recognised the principle that not property but numbers was the groundwork of legislation. After all what was property? Was there any man, however mean, who had not his pleasures and his pains? Was a poor man to be denied the rights which were possessed by the rich? Was it because of his poverty that he was to be excluded? When Providence had denied him those enjoyments which were possessed by those who supposed themselves his superiors, did it also take away from him the susceptibilities of human nature? Was he not the subject of enjoyment and suffering? Of what use were laws except as they acted on the enjoyments of the whole community? The petitioners complained of impediments in the representation by the property qualification. What did it imply? That the possession of a certain quantity of wealth was necessary to enable a man to sit in the House and make laws for his fellow-creatures. Till lately it represented neither more nor less than a sinister interest. So predominant was the power of the agricultural interest, that unless a man gave evidence that he had 600*l.* a year in land he could not represent a county; nor could he represent a borough unless he had 300*l.* a year in land. What was the object of this? It was merely to take a security that the landed interest should be the predominant interest. Scotland was so wise as to emancipate herself from this thraldom; and, as had been remarked again and again, no man ventured to contend that the representatives of Scotland were less intelligent, less active, less trustworthy, less fit for legislation, than the representatives of any other part of the kingdom. It appeared to him that the language of the petition was so respectful as to entitle it to the attention of the House. The prayer of the petition was reasonable, as it demanded of the House that the petitioners should be heard at the Bar; and let it not be forgotten that the petitioners were millions, every one of whom was a centre in his domestic and social circle. Let not the House turn a deaf ear to their prayer—let them not return to their homes unheard. If the House should agree to listen to them that would be the first step towards popular satisfaction and content. That would be something which would raise the House in the affections of the people. They would at all events be bound to say you were willing to listen to them; if their reasons were absurd they would be more easily answered; if their reasons were judicious, their claims on your hearing were the greater; and he concurred with his hon. Friends in thinking that it would be most unwise in the present state of the public mind, agitated and excited as it was from one end of the country to the other, and when with social misery was mingled so much of political discontent,—that the House would make a deplorable mistake, if they said to more than 3,000,000 of petitioners—return to your homes unheard.

Mr. *Fielden* also supported the prayer of the petition. The distress of the working men was very great. He had met a friend who had received a letter from a clergyman at Burnley, wherein it was stated that many mills were closed, that one-half worked short time, and that 500*l.* a week were paid for relief in the Burnley union. This statement had been confirmed by letters since received, and if they took all the manufacturing towns, they would find them in a state which all would regret. He had suggested to the right hon. Baronet that some distress would be lightened if some persons were appointed in every parish for the purpose of giving relief to poor persons, when the relieving officer should neglect his duty. If this had been done, many real and substantial complaints would have been remedied. But something beyond this was necessary. By the bad legislation in that House, all the people had been made politicians, and they had got an impression on their minds that nothing but a Radical change in the constitution of that House would ever give the people what they had a right to. He did not know what the people of his district would do. He had gone on for two years making tremendous sacrifices to maintain them, but by always taking the meal out of the tub, and never putting any in, they would soon come to the bottom. More mills were closing every day—numbers were discharged from their employ, and if they went to the guardians for relief, they would not procure it. "What are we to do," said they; and what they were to do he could not tell. He implored the right hon. Baronet, that if he regarded his fellow creatures, he would allow the present petitioners to be heard. If the right hon. Baronet would so far hold out the olive branch, and allow the petitioners to be heard at the Bar of the House, they would make a statement of what they thought necessary to be done, and they might suggest measures worthy the attention of the House. He, therefore, trusted that the Government would not refuse a hearing, when that refusal might cause severe disappointment to those who made these representations; and he thought it would be far better to spend two or three days in hearing what they had got to say, than run any risk of producing that disappointment.

Sir *John Easthope* said, hon. Members would recollect that on a recent occasion, when a motion was submitted to the House by the hon. Member for Rochdale (Mr. S. Crawford) which, as he considered, propounded the principles of the Charter, and upon which he felt he should be compromising himself if he gave his assent, he had shown no hesitation in voting against that motion; and if he thought that by voting for the motion of his hon. Friend the Member for Finsbury, he should convey the slightest appearance of adhesion to the principles he then objected to, or approbation of all the measures propounded in the petition yesterday presented to the House, he would not hesitate for one minute in following the same course as he then pursued. But he conceived that the motion under consideration at the present moment was essentially different from that introduced by the hon. Member for Rochdale. The petition now before them came from numbers beyond comparison greater than any former petition, and it complained of distress which could not be fully described —distress of which he personally knew enough to know how impossible it was to feel any indifference to it—distress for which he did not believe that any Member in the House could show a want of sympathy, or for which, when it was fairly and fully known, they would not be anxious, if possible, to find a remedy. The petition came from those who were suffering distress, and who displayed that discontent which was the natural concomitant of distress. Much of their reasoning he strongly deprecated; they asked for remedies which, in his opinion, would aggravate their destitution; they proposed plans, and laid down schemes for practical reliefs, which, if adopted, would bring down upon themselves still greater evils than they now endured. His sincere conviction was, that if they sought to aggravate the grievous distress which now existed, they could not be more successful than they would be if they obtained a grant of all the prayers in their petition. Feeling as he did for the distress that prevailed amongst the petitioners, and fully admitting his conviction that the principles contained in the charter, and recommended in the petition, would not mitigate that distress, yet he could not refuse their demand to be heard. He could not say to three and a half millions of the people, that he would not listen to their statement of their complaints. He believed that the large majority were sincere, although many were deluded, and some had improperly misrepresented the causes of this destitution, and had pointed out unfit remedies. Still severe distress existed. It existed to an extent never before known in this country; not only was this the opinion of hon. Members on that (the Opposition) side of the House, but had been described by hon. Members opposite in terms which harrowed up the feelings. How, then, could the House say to three millions and a half of their fellow subjects, labouring under so much suffering, "we will not hear you because you do not correctly describe the causes of your misery, nor limit your prayers to appropriate remedies?" When they had represented to the House in their own way what they conceived to be the cause of their distress; when they had dilated upon what they supposed would be the fit remedies, they themselves would probably discover that they had not made out their case. He believed that many would learn that they had become involuntarily the assistants of parties, who did not entertain the same honest feelings as themselves; that most would feel that the House had acted kindly in hearing their tale, and in showing pity for their condition; and that more good would come from this conciliatory conduct than in adopting the opposite course. He could not feel that in assenting to the present motion he was compromising his objection to some of the principles of the charter, or his dissent from the reasons by which it was advocated. To that principle he was as much opposed, from those reasons he as much dissented, as when the motion of the hon. Member for Rochdale was before the House; but acknowledging the great distress, and being anxious to show the petitioners that the House sympathised with them, he urged hon. Members to take a conciliatory step, to err, if it were an error, on that side rather than on the other; and upon that ground he would cordially concur in the vote of his hon. Friend.

Sir *James Graham* said, that if the motion then before the House involved a question whether they should listen to an account of the sufferings of the people, and to the remedies proposed for those sufferings, he might, perhaps, assent to the argument of the hon. Member for Leicester, who had just sat down. The hon. Gentleman the Member for Westminster (Mr. Leader) seemed to suppose that hon. Gentlemen on that (the Ministerial) side of the House would take the different paragraphs of this petition and turn them into ridicule, or comment upon them with severity; but he assured the hon. Member that nothing was further from his intention. Unfortunately the foundation of the petition was generally admitted: the distress was great; the number of petitioners complaining of that distress was large; and their statements were, in many particulars, founded in fact. It was not, therefore, a question of fact to be investigated, it was a question of policy to be adopted; it was not a question of fact to be inquired into, but a question of political remedy to be decided on by the House; and as he could not conceive a course more likely to be disastrous than to excite hopes which were certain to be disappointed, and to hold out expectations which those who consented to the inquiry were aware would be fallacious, he must oppose the present motion. The hon. Member for Leicester, who had just sat down, had on a former evening strenuously resisted a motion which involved the points of the charter. The hon. Member said, that he still retained those opinions. Then allow him to ask what circumstances had occurred in the interval to induce the hon. Member to change his vote? No additional numbers had signed the petition. The sacrifices and distress of the people, great as they might be, had not been increased during the last eight days. There was no one circumstance changed, as far as he was aware. The hon. Member joined him the other evening in a vote to resist the motion of the hon. Member for Rochdale, yet he was about that night to vote with the hon. Member for Finsbury. He could not divine what altered circumstances had induced the hon. Member now to vote for this motion. The hon. Member now said, that this was a mere question of inquiry, and that that inquiry would act as a healing balm upon the minds of the multitude. The hon. Member, had, however, arrived at the conclusion that the remedies proposed were worthless or improper; and if it were true policy to refuse the proposition of the petitioners, he asked what healing balm would be poured upon their minds by the inquiry in which they were about to embark? On the contrary, his opinion was, that no course could be more aggravating to the feelings of the petitioners, than to call upon them to state at the Bar their case of distress, when the House had made up its mind, beforehand, that the remedy they suggested was utterly inadmissible, and to tell them that when hon. Members had heard their statements, and their remedies, the House would be prepared to resist their demands. It would be needless for him to enter into a discussion upon all the points of demand involved in the petition; upon that point he agreed with the hon. Baronet the Member for Leicester; but he thought that to entertain those demands would be inexpedient on many grounds; on account of our institutions, the happiness of the community, but above all, he was satisfied that the subversion of all our great institutions must inevitably result from the granting of the prayer of the petition—a result which he thought would in itself tend more directly to lead to the increase of the sufferings of the people than any other cause. Entertaining these opinions in common with the hon. Baronet the Member for Leicester—having expressed those opinions by his vote on a former evening—seeing nothing which had since occurred to induce him to doubt the soundness of the conclusion at which he then arrived, he should adhere to the course which he had then taken. and however reluctantly, he should firmly and decidedly resist the present motion. He was satisfied that to agree to it would be to produce the most disastrous consequences, and that the remedies which were proposed would be found to be more hurtful than the evils which were complained of.

Sir *John Easthope* explained. He begged to be allowed to re-state that which he must have said very imperfectly in the first instance, but which appeared to have been misunderstood. He thought that he had sufficiently stated it was his conviction that for him to have voted with the hon. Member for Rochdale the other evening would have been to affirm the propositions of the Charter, to which he was opposed—that now he considered that he was asked to permit the petitioners to expound their own views, and endeavour to show that their distresses were connected with the prayer which they laid before the House. If he had been called upon by the motion, as the right hon. Baronet who had last spoken had assumed he was, to affirm the principles of the Charter, he should certainly have adhered to the course which he had taken on a former evening.

Mr. *Macaulay:* I am particularly desirous of saying a few words upon this question, because upon a former evening, when a discussion took place upon a motion of the hon. Member for Rochdale, I was prevented from being in my place by accidental circumstances. I know that the absence of some of the Members of the late Government on that occasion was considered and spoken of as exhibiting in their minds an inattention to this subject, or a want of sympathy for the interests of the humbler classes of the people of this country. For myself, I can answer that I was compelled to absent myself on account of temporary indisposition; a noble Friend of mine, to whose absence particular allusion was made, was prevented from attending the House by purely accidental circumstances; and no one Member of the late Administration, I am persuaded, was withheld by any unworthy motives from stating his opinions upon this subject. In the observations which I shall now make to the House, I shall attempt to imitate, as far as I can, the very proper temper of the speech of the right hon. Baronet the Secretary of State for the Home Department; but if I should be betrayed into the use of any expressions not entirely consistent with a calm view of the question, the House will attribute it to the warmth with which I view the subject generally, and no one who is acquainted with my feelings will attribute it to any want of kindness or of good will towards those who have signed the petition which has been presented to the House. With regard to the motion which has been made, I cannot conscientiously vote for it. The hon. Member for Finsbury has shaped the motion with considerable skill, so as to give me a very fair plea to vote for it, if I wished to evade the discharge of my duty, so that I might say to my Conservative constituents, "I never supported universal suffrage, or those extreme points for which these petitioners call;" or to a large assembly of Chartists, "When your case was before the House of Commons, on that occasion I voted with you." But I think that in a case so important I should not discharge my duty if I had recourse to any such evasion, and I feel myself compelled to meet the motion with a direct negative; and it seems to me that if we departed from our ordinary rule of not hearing persons at the Bar of this House under circumstances of this nature, it must be understood, by our adopting such a course, if not that we are decidedly favourable to the motion which is made, at least that we have not fully made up our minds to resist what the petitioners ask. For my own part, my mind is made up in opposition to their prayer, and, being so, I conceive that the House might complain of me, and that the petitioners also might complain of me, if I were to give an untrue impression of my views by voting in favour of this motion; and I think that if I took such a course, and in three or four years hence I gave a distinct negative to every one, or to the most important clauses of the charter, there would be much reason to complain of my disingenuousness. An accusation founded upon such grounds, I shall, if I can, prevent their bringing against me. In discussing this question I do not intend, as the hon. Member for Westminster has suggested, to deal with the contents of the petition with any degree of harshness. To the terms of it I shall scarcely allude, but to the essence of it I must refer: and I cannot but see that what the petitioners demand is, that we should immediately, without alteration, deduction, or addition, pass the charter into a law; and when the hon. Member for Finsbury calls on the House to hear persons in support of the prayer of the petition at the Bar, I say that if he can contend that the object of that inquiry will be to investigate the causes of public distress, by all means let the motion be carried—I will not oppose it. But when I see that the petitioners send to this House, demanding that a particular law shall be passed, without addition, deduction, or modification, and that immediately, and that they demand that persons shall be heard at the Bar of the House in favour of that law, I say that to allege that the only object of the inquiry is to ascertain the causes of public distress, is a paltering with the question, to which the House will pay no attention. There are parts of the charter to which I am favourable—for which I have voted, which I would always support; and in truth of all the six points of the charter there is only one to which I entertain extreme and unmitigated hostility. I have voted for the ballot. With regard to the proposition that there be no property qualification required for Members of this House, I cordially agree, for I think that where there is a qualification of property required for the constituent body, a qualification for the representative is altogether superfluous. And it is absurd, that while the Members for Edinburgh and Glasgow are required to have no property qualification, the hon. Members for Marylebone or Finsbury must possess such a qualification. I say that if the principle is to be adopted at all, let it be of universal application; if it be not so, let it be abandoned. It is no part of the constitution of the kingdom, that such a qualification should be required; nor is it a part of the consequences of the revolution; but, after all, it was introduced by a bad Parliament, now held in no high esteem, and for the purpose of defeating the resolution, and excluding the Protestant succession to the Crown. With regard to the other points of the Charter, I cannot support the proposition for annual Parliaments; but I should be willing to meet the wishes of the petitioners by limiting their duration to a shorter period than that for which they may now endure. But I do not go the length of the Charter, because there is one point which is its essence, which is so important, that if you withhold it, nothing can produce the smallest effect in taking away the agitation which prevails, but which, if you grant, it matters not what else you grant, and that is, universal suffrage, or suffrage without any qualification of property at all. Considering that as by far the most important part of the Charter, and having a most decided opinion, that such a change would be utterly fatal to the country, I feel it my duty to say, that I cannot hold out the least hope that I shall ever, under any circumstances, support that change. The reasons for this opinion, I will state as shortly as I can. And, in the first place, I beg to say, that I entertain this view upon no ground of finality; indeed, the remarks which I have already made preclude such a supposition, but I do admit my belief, that violent and frequent changes in the Government of a country, are not desirable. Every great change, I think, should be judged by its own merits. I am bound by no tie to oppose any legislative reform which I really believe will conduce to the public benefit; but I think that that which has been brought forward as an undoubted and conclusive argument against a change of this sort, that it is perfectly inconsistent with the continuance of the Monarchy or of the House of Lords, has been much over-stated. And this I say, though I profess myself a most faithful subject to her Majesty, and by no means anxious to destroy the connection which exists between the Monarchy, the aristocracy, and the constitution, that I cannot consider either the Monarchy or the aristocracy as the end of Government, but only as its means. I know instances of governments with neither a hereditary monarchy or aristocracy, yet flourishing and successful, and, therefore, I conceive this argument to have been overstated. But I believe that universal suffrage would be fatal to all purposes for which government exists, and for which aristocracies and all other things exist, and that it is utterly incompatible with the very existence of civilisation. I conceive that civilisation rests on the security of property, but I think, that it is not necessary for me, in a discussion of this kind, to go through the arguments, and through the vast experience which necessarily leads to this result; but I will assert, that while property is insecure, it is not in the power of the finest soil, or of the moral or intellectual constitution of any country, to prevent the country sinking into barbarism, while, on the other hand, while property is secure, it is not possible to prevent a country from advancing in prosperity. Whatever progress this country has made, in spite of all the mis-government which can possibly be imputed to it, it cannot but be seen how irresistible is the power of the great principle of security of property. Whatever may have been the state of war in which we were engaged, men were still found labouring to supply the deficiencies of the State; and if it be the fact, that all classes have the deepest interest in the security of property, I conceive, that this principle follows, that we never can, without absolute danger, entrust the supreme Government of the country to any class which would, to a moral certainty, be induced to commit great and systematic inroads against the security of property. I assume, that this will be the result of this motion—and I ask, whether the Government, being placed at the head of the majority of the people of this country, without any pecuniary qualification, they would continue to maintain the principle of the security of property? I think not. And if I am called upon to give a reason for this belief—not meaning to refer to the words of the petition with any harsh view—I will look to the petition to support what I have said. The petition must be considered as a sort of declaration of the intentions of the body, who, if the Charter is to become law, is to become the sovereign body of the State—as a declaration of the intention of those who would in that event, return the majority of the representatives of the people to this House. If I am so to consider it, it is impossible for me to look at these words without the greatest anxiety:—

"Your petitioners complain, that they are enormously taxed to pay the interest of what is called the national debt—a debt amounting at present to 800,000,000*l.*—being only a portion of the enormous amount expended in cruel and expensive wars for the suppression of all liberty, by men not authorised by the people, and who, consequently had no right to tax posterity for the outrages committed by them upon mankind."

If I am really to understand that as an indication of the opinion of the petitioners, it is an expression of an opinion, that a national bankruptcy would be just and politic. If I am not so to understand it, I am utterly at a loss to know what it means. I conceive, for my own part, that it is impossible to make any distinction between the right of the fundholder to his dividends, and the right of the landholder to the rent for his land, and I say, that the author of this petition makes no such distinction, but treats all alike. The petitioners then speak of monopolies, and they say:—

"Your petitioners deeply deplore the existence of any kind of monopoly in this nation, and whilst they unequivocally condemn the levying of any tax upon the necessaries of life and upon those articles principally required by the labouring classes, they are also sensible, that the abolition of any one monopoly will never unshackle labour from its misery, until the people possess that power under which all monopoly and oppression must cease; and your petitioners respectfully mention the existing monopolies of the suffrage, of paper money, of machinery, of land, of the public press, of religion, of the means of travelling and transit, and a host of other evils too numerous to mention, all arising from class-legislation."

Now, I ask whether this is not a declaration of the opinion of the petitioners, that landed property should cease to exist? The monopoly of machinery, however, is also alluded to, and I suppose that will not be taken to refer to the monopoly of machinery alone, but the monopoly of property in general—a view which is confirmed when we further look to the complaint of the monopoly of the means of transit. Can it be anything but a confiscation of property—of the funds—and of land—which is contemplated? And is it not further proposed, that there shall be a confiscation of the railways, also? I verily believe, that that is the effect of the petition. What is the monopoly of machinery and land, which is to be remedied? I believe, that it is hardly necessary for me to go into any further explanation, but if I understand this petition rightly, I believe it to contain a declaration, that the remedies for the evils of which it complains, and under which this country suffers, are to be found in a great and sweeping confiscation of property, and I am firmly convinced, that the effect of any such measure would be not merely to overturn those institutions which now exist, and to ruin those who are rich, but to make the poor poorer, and the amount of the misery of the country even greater, than it is now represented to be. I am far from bringing any charge against the great body of those who have signed this petition. As far am I from approving of the conduct of those who, in procuring the petition to be signed, have put the sentiments which it embodies into a bad and pernicious form. I ask, however, are we to go out of the ordinary course of Parliamentary proceedings, for the purpose of giving it reception. I believe, that nothing is more natural than that the feelings of the people should be such as they are described to be. Even we, ourselves, with all our advantages of education. when we are tried by the temporary pressure of circumstances, are too ready to catch at everything which may hold out the hope of relief—to incur a greater evil in future, which may afford the means of present indulgence; and I cannot but see, that a man having a wife at home to whom he is attached, growing thinner every day, children whose wants become every day more pressing, whose mind is principally employed in mechanical toil, may have been driven to entertain such views as are here expressed, partly from his own position, and partly from the culpable neglect of the Government in omitting to supply him with the means and the power of forming a better judgment. Let us grant that education would remedy these things, shall we not wait until it has done so, before we agree to such a motion as this; shall we, before such a change is wanted, give them the power and the means of ruining not only the rich, but themselves? I have no more unkind feeling towards these petitioners than I have towards the sick man, who calls for a draught of cold water, although he is satisfied that it would be death to him; nor than I have for the poor Indians, whom I have seen collected round the granaries in India at a time of scarcity, praying that the doors might be thrown open, and the grain distributed; but I would not in the one case give the draught of water, nor would I in the other give the key of the granary; because I know that by doing so I shall only make a scarcity a famine, and by giving such relief, enormously increase the evil. No one can say that such a spoliation of property as these petitioners point at would be a relief to the evils of which they complain, and I believe that no one will deny, that it would be a great addition to the mischief which is proposed to be removed. But if such would be the result, why should such power be conferred upon the petitioners? That they should ask for it is not blameable; but on what principle is it that we, knowing that their views are entirely delusive, should put into their hands the irresistible power of doing all this evil to us and to themselves? The only argument which can be brought forward in favour of the proposition is, as it appears to me, that this course, which is demanded to be left open to the petitioners, will not be taken; that although the power is given, they will not, and do not intend to execute it. But surely this would be an extraordinary way of treating the prayer of the petition; and it would be somewhat singular to call upon the House to suppose that those who are seeking for a great concession put the object of their demand in a much higher manner than that which presented itself to their own minds. How is it possible that, according to the principles of human nature, if you give them this power, it would not be used to its fullest extent? There has been a constant and systematic attempt for years to represent the Government as being able to do, and as bound to attempt that which no Government ever attempted; and instead of the Government being represented, as is the truth, as being supported by the people, it has been treated as if the Government supported the people: it has been treated as if the Government possessed some mine of wealth—some extraordinary means of supplying the wants of the people; as if they could give them bread from the clouds—water from the rocks—to increase the bread and the fishes five thousandfold. Is it possible to believe that the moment you give them absolute, supreme, irresistible power, they will forget all this? You propose to give them supreme power; in every constituent body throughout the empire capital and accumulated property is to be placed absolutely at the foot of labour. How is it possible to doubt what the result will be? Suppose such men as the hon. Members for Bath and Rochdale being returned to sit in this House, who would, I believe, oppose such measures of extreme change as would involve a national bankruptcy. What would be the effect if their first answer to their constituents should be, "Justice and the public good demand that this thirty millions a-year should be paid?" Then, with regard to land, supposing it should be determined that there should be no partition of land, and it is hardly possible to conceive that there are men to be found who would destroy all the means of creating and increasing wages, and of creating and increasing the trade and commerce of this country, which gives employment to so many! Is it possible that the three millions of people who have petitioned this House should insist on the prayer of their petition? I do not wish to say all that forces itself on my mind with regard to what might be the result of our granting the Charter. Let us, if we can, picture to ourselves the consequences of such a spoliation as it is proposed should take place. Would it end with one spoliation? How could it? That distress which is the motive now for calling on this House to interfere would be only doubled and trebled by the act; the measure of distress would become greater after that spoliation, and the bulwarks by which fresh acts of the same character would have been removed. The Government would rest upon spoliation—all the property which any man possessed would be supported by it, and is it possible to suppose that a new state of things would exist wherein every thing that was done would be right? What must be the effect of such a sweeping confiscation of property? No experience enables us to guess at it. All I can say is, that it seems to me to be something more horrid than can be imagined. A great community of human beings—a vast people would be called into existence in a new position; there would be a depression, if not an utter stoppage, of trade, and of all those vast engagements of the country by which our people were supported, and how is it possible to doubt that famine and pestilence would come before long to wind up the effects of such a system. The best thing which I can expect, and which I think every one must see as the result, is, that in some of the desperate struggles which must take place in such a state of things, some strong military despot must arise, and give some sort of protection—some security to the property which may remain. But if you flatter yourselves that after such an occurrence you would ever see again those institutions under which you have lived, you deceive yourselves: you would never see them again, and you would never deserve to see them. By all neighbouring nations you would be viewed with utter contempt, and that glory and prosperity which has been so envied would be sneered at, and your fate would thus be told: "England," it would be said, "had her institutions, imperfect though they were, but which contained within themselves the means of remedying all imperfections. Those institutions were wantonly thrown away for no purpose whatever, but because she was asked to do so by persons who sought her ruin; her ruin was the consequence, and she deserves it." Believing this, I will oppose with every faculty which I possess the proposition for universal suffrage. The only question is, whether this motion should be agreed to. Now, if there is any Gentleman who is disposed to grant universal suffrage, with a full view of all its consequences, I think that he acts perfectly conscientiously in voting for this motion; but I must say, that it was with some surprise I heard the hon. Baronet the Member for Leicester, agreeing with me as he does in the principles which I advocate, say, notwithstanding, that he is disposed to vote simply for the motion for permitting these petitioners to come to our Bar to speak in defence of their petition. [Sir *J. Easthope:* To expound their opinions.] I conceive their opinions are quite sufficiently expounded. They are of such an extent that I cannot, I must confess, pretend to speak of them with much respect. I shall give on this occasion a perfectly conscientious vote against hearing the petitioners at the Bar; and it is my firm conviction that in doing so I am not only doing that which is best with respect to the State, but that I am really giving to the petitioners themselves much less reason for complaining than those who vote for their being heard now, but who will afterwards vote against their demand.

Mr. *Roebuck* said, that the speech of the right hon. Gentleman who had just sat down, plainly indicated to him, that in spite of the right hon. Gentleman's declaration, he had little of kindly feeling for the persons who had petitioned that House. The general effect of the speech of the right hon. Gentleman, he thought, he could not help recognising, for he thought that he had seen its substance before, elaborated, too, with all the gorgeous eloquence which the right hon. Gentleman could so well employ. When he had seen it, it was in a form which left no doubt of its parentage; he thought that he had seen it in a discussion upon the subject of reform in Parliament in the *Edinburgh Review.* The proposition of the right hon. Gentleman was this:—"I am not willing to give the people power, till I am assured that they will not misuse it." And the right hon. Gentleman appealed to the petition itself, to prove that he sought not to grant the prayer of it. Now, he might answer this in various ways, and first, he might deny the right hon. Gentleman's premises altogether; but, mounting higher up, and asking on what principle the House of Commons was formed, he was prepared to maintain, that the same principle, if carried out, would bring together the whole body of the people to confer on public affairs in that place. There was a natural desire in every man to profit by another's labour. The object of Government was to prevent that desire from breaking out into action. In a state of nature, if he was wrong, he obtained that which he desired ; as men advanced, they met together, and formed societies. In this country, the people had hit upon the principle of deputation to a few to do that which in former times was done in the market-place by the whole body of the people. The House of Commons then sat there to prevent the desire that each man has of profiting by another's labour from coming into action ; they were put over the people to watch for them ; but then, that being the case, who was to watch them—to watch the watchers ? That could only be done with effect by making the House of Commons responsible to the people, and the charge against the House of Commons on the part of the people was, that there had been delegated to a small section of the people, the power of enforcing this responsibility, and that that small section had joined with the House of Commons to oppress the remainder of the people ; and that they did oppress the remainder of the people. The right hon. Gentleman holding the petition in his hands, had said, that the petitioners made a demand for the establishment of a minimum of wages ; if this were so then he asked hon. Gentlemen on the other side of the House whether they did not make a demand of exactly the same principle in the Corn-laws ? The right hon. Gentleman said, "I am not willing to give the people power because they demand a minimum of wages ;" but he said to the House "Remember, you have given power to the landed interest, and given them that power notwithstanding they asked for a maximum of prices." In principle where was the difference ? But all this was bad political economy, said some hon. Member ; this was bad economy, said the *Edinburgh Review*. But, be it bad political economy or good, the poor man would come forward and say, "You have given me power, now I demand a minimum of wages." How often, when the Poor-laws were before the House, had they been told that there were very many of the miseries of the people that were entirely beyond the control of the House ; he agreed that at present it was so ; but if the people had a voice there, would it long be so ? The right hon. Gentleman said that parts of the petition contained propositions adverse to the security of property. Let him point to the great organ of the Conservative party—*The Times* newspaper —and ask did it not every day bring out projects and assert principles quite as extravagant, quite as fierce, quite as directly and pointedly, against the security of property as those contained in that extremely unwise, and, he would say, extremely foolish, petition ? But were those who signed this petition really unfit to govern themselves ? Separate the people of this country into classes, and they would see which of them were against property ; the classes who had a share in education —the enlightened mechanics, were not against property. The right hon. Gentleman had said, that if any one class was dependent upon property and the security of property, that class was the labouring class, and yet he wished to make out that this class was so blind to their real interests and to all that prudence would dictate, that it was that class of all others which would be willing to reduce the country to the condition of a desert. Now, he judged the people of England otherwise ; he did not judge by the words of the foolish, malignant, cowardly demagogue who had written that petition. He knew where to put his finger on the man, and he was convinced it was not that man who was entitled to stand forward as the representative of the labouring classes. He would ask those hon. Members who had borne witness to the long-suffering of the industrious classes, amidst the privations and distresses to which they had been exposed, and which they were yet daily suffering, what was the character of his fellow-countrymen ? Yes, it was from these sufferings that he judged of his fellow-countrymen, and not from the trashy doctrine contained in the petition, which would be of itself ridiculous but for the grandeur of the multitude of names appended to it. What they asked was, for the power which they saw their fellow-citizens enjoying. What they complained of was, that their fellow-citizens, whom they knew to be made by nature no better than themselves, were selected as the repositories of political power. That was a distinction which was peculiarly galling to them. But he did not believe, speaking from the knowledge which he had of his fellow-citizens, and it had been his fortune to mix much with them, that the belief was general that the great accidents which regulate the happiness of their lives were within the power of the Government. In fact, he believed that the class to which he referred was as enlightened as the present electoral body. Well then, if they were as enlightened as the present electoral body, let the House consider that this country had wealth, and had security for property under the present electoral body. Why then should the country not have the same under the labouring classes? If they were as worthy to be electors as the present body, why was he to conclude that under them the country would be involved in that anarchy which had been painted by the somewhat terrific pencil of the right hon. Gentleman. That was not his judgment of the people of England. If he were wrong, what kept them from displaying their real character? He affirmed that the Government had not physical force adequate to keep them down. If they were to rise as one man, as they might do, the Executive had nothing but what was as a rush to keep them down with. What then kept them down? They kept quiet from knowing that the advantages which they and their ancestors had derived from obedience to the law were not to be thrown away slightly and that was their only feeling in the matter. And if he were to be asked by what his countrymen were peculiarly distinguished from the other nations of Europe and from the people of all other countries that he knew of, he should say that the distinguishing feature in their character was obedience to the law. It had happened to himself and many other hon. Members to travel in other countries; he asked those hon. Members what was the case there? On the continent it was said *la force* was everywhere—here it was obedience to the law. The feeble constable without any question took the offender into custody solely from the moral feeling of the people. It was not physical force, but law, that bore sway here, and this it was that made him believe that if the whole body of the people ruled the country he should walk home just as quietly as he should that evening. Such was his confidence in his fellow-countrymen. He believed that if ever there had been a libel spoken,—he did not desire to say so in any sense that could be painful to the right hon. Gentleman,—but if ever there was a libel spoken upon his patient, forbearing, his industrious fellow-countrymen, it was that idle declaiming which said that they were unable to govern themselves. Why, it was they who had done everything for this country—upon them rested the whole fabric of English prosperity and greatness; and now, the very fact of this peaceful organization for the attainment of what they believed to be their natural political rights, was a lesson which the world had never seen before. The right hon. Gentleman himself was learned in the history of the world—could he point his finger to a single event in history, that in its nature was like that which they had seen yesterday upon the floor of that House? What was that event of yesterday? It was the peaceful act of 3,500,000 people, who had all joined together throughout the length and breadth of the land—in the open markets and in the crowded towns—in the byways and in the highways — who had assembled in peace, and fully relied on the security of the law, and had signed the document which was then laid before the House, in which they asked by petition for the indulgence of a right which they in their hearts believed to belong to them. They had not risen up as an armed man; they had not banded together against the law; they had conducted themselves peacefully, calmly, prudently, forbearingly; they had come and called upon the House to hear them; and yet, with that document to point at, the right hon. Gentleman concluded that so striking an example and so extraordinary an incident in the history of man was to be thrown aside as nothing, and that he was justified in fixing his critically acrimonious eye upon the turning of sentences, his almost grammarianlike sagacity in insight into language, while he altogether forgot the larger and more striking features of an act by which 3,000,000 of his fellow-countrymen who were not now admitted within the pale of the constitution, had come to that House, and in so entirely peaceable a manner petioned for that as an indulgence which they fully believed to be their own as a right. Now, let it not be supposed that he (Mr. Roebuck) agreed with a one-hundredth part of the propositions contained in that petition. What he did ask for the petitioners was, simply that they should be heard. He wanted no quibble to help him out of the difficulty. The hon. Member for Rochdale had, on a former evening, asked for the very same thing, and how had he been met by the hon. Baronet, the Member for Leicester, on that occasion? The hon. Member for Finsbury now asked for inquiry also, but what a strange alteration had come over the hon. Baronet, the Member for Leicester? He now saw something that he did not see before. What that something might be it was not for him to say; but now, forsooth, though the demand was precisely the same as that made by the hon. Member for Rochdale, the hon. Member for Leicester took a different course. Inquiry! "To propound their opinions; to state why they thought their evils arose from bad legislation," said the hon. Member for Leicester; why, that was exactly the proposition of the hon. Member for Rochdale on the former night, and yet, though the hon. Baronet then voted against the motion, he now came down, and, having some special light on the subject, said he should vote for the 3,000,000 of petitioners. He did not want to do that sort of thing. He wanted no excuse for the vote which he should give on the present occasion. He had voted for the hon. Member for Rochdale on the former occasion, and he should vote with the hon. Member for Finsbury now—not for the petition as a whole, not for everything contained in the petition, but for what was called the Charter, for that was the way to put it. He should vote for the Charter, because he believed that the people ought to be admitted into the pale of the Constitution, and because, from what study he had been able to give to the history of mankind, and from what consideration he had had of man's nature, he believed that the best government that could be got for any people, whether looking to the necessities of instruction, the interests of wealth, or to any of the peculiar circumstances affecting particular nations—that the best government that could be got was that which proceeded from the whole; and it did strike him, that if to-morrow they could transform, by legislative means, not by any violent revolution, that House into a complete representation of the people of England, there would not be one iota of difference as to all the interests and tendencies of property in this country—with this simple, peculiar, and advantageous exception, that every man in that case would have the proceeds of his own labour, with only so much taken from it as would form his fair share of contribution to the State. That was not the case now, and that it was not, was the evil of which the people complained. They did not assert that all the evils with which they were afflicted were attributable to the Government under which they had lived, but that a large portion of the evils they were labouring under might fairly be attributable to the mode in which that House was constituted. They declared, that being unrepresented, they paid more largely towards the expenses of the State than they ought to do with reference to their condition and numbers. The cause of this they asserted to be their want of power in that House, and, reasoning from the acts of the majority of that House as at present constituted, they felt that they had been, and were, unfairly dealt with. Therefore, they, the long-suffering, patient people, now at last asked for a share in the Government of the country. Now, compare the picture that had been drawn by the right hon. Gentleman with the events that had occurred in that House during the present year. They had been told of the necessity of placing the Government in the hands of the aristocracy only; now, what had been their experience of a few months working of that description of government? The people being in a state of distress, finding food scanty and dear, asked the governing body of the country, when they met, to lessen that distress by lowering the price of food. What was the answer? Why, the aristocracy most vehemently, most decisively, most completely, declared that they would do no such thing. Upon the arguments that had been used against the claims of the working classes by the right hon. Gentleman, he would be entitled at once to say, that a spirit of rapine prevailed with that aristocratical body. Taking this instance, not of wild language, but of determined resistance to the cry of the whole suffering population, he was entitled to say, on the principle laid down by the right hon. Gentleman, that the aristocracy in that House were actuated by a spirit of rapine. Let him not be misunderstood. He had borne very patiently with the counter-argument, and he hoped they would listen patiently to him. He maintained that he would be fairly entitled, in accordance with the argument of the right hon. Gentleman, to say that the Government which could act so was actuated by a spirit of rapine and plunder, and only kept the people down by the power they possessed by having the arms in their hands. Going a little further, however, he would say that the existing majority in that House, having the power in their hands, and not feeling the pressure of misery upon them, had no means of knowing what that distress was, and that, therefore, they would be doing not only the poor, but the rich, a benefit by sending into that House those who would be elected by the people themselves, and would be able to show them what the evils were that had been created by their class-legislation. And let them not suppose that by admitting the labouring classes to a share in the representation of the country, the power of electing representatives would not be borne still by the whole population. Were they to suppose that wealth and intelligence would cease to exercise their natural influence? Did they imagine that only the wild, the unintelligent, would govern the country in that case? No, it would be the rich and the intelligent who would still by force of their position and their education govern the country. No people were ever yet governed by the ignorant, or by any but those which might be called the thinking and leisure classes. The only effect of creating such a Government as the petitioners desired would be, that they would still have wealth exercising its due and legitimate influence with the aid of intellect, whereas the influence now exercised was a malign influence, doing mischief, and working out evil instead of good. The difference between the right hon. Gentleman and himself was, that he had great faith in the good feeling, patience, and virtue of his fellow-countrymen, which the right hon. Gentleman seemed to doubt, believing as he did that they ought not to be trusted with power, forming his opinion, as he did, from the petition that had been laid upon the Table of the House, and shutting his eyes to the experience which he ought to have had while journeying through this large country of the suffering millions, and forgetting the intimate knowledge which, while a Member of the governing power of the country, he must have had of the constant forbearance of his fellow-countrymen; — the right hon. Gentleman shutting his eyes to all this experience, and judging only by the paper on the Table, declared that the labouring classes were unworthy of the trust which it was sought to repose in them—that they would be cruel and take delight in rapine and wanton spoil and bloodshed—that when they found peace they would make war, that of this cultivated land they would make a desert, and that that great country which they themselves had almost entirely raised to its present prosperity and greatness, they, if in power, would be the first to reduce to one wide scene of bloodshed, anarchy, and confusion: for this reason it was that the right hon. Gentleman declared, that as long as he held a seat in that House he would resist the demand of the people for a share in the representation. He could not follow the right hon. Gentleman in that course. For his own part, what little ability he had should be devoted to the service of those classes upon whom the opinion of the right hon. Gentleman cast such a stigma. He believed that he should be best doing them service by speaking of them with calmness, consideration, and affection, and by endeavouring to do for them that which they had a right to expect at his hands. He would endeavour to the best of his power to render them equal in point of political privileges with any of those who now sent Members to that House, by not allowing any servile class to remain, believing as he did that property would be most secure when his labouring fellow-countrymen had their full and equal share in the power of the Legislature.

Lord *Francis Egerton* thought, that the hon. and learned Gentleman had, in the course of his speech, manifested more of the talent of the debater than of the judgment of the statesman in dealing with this subject. The right hon. Member for Edinburgh had come forward with his usual ability and manfulness and delivered his opinion on this subject; and, if he had good grounds for his assertion, he was right in taking from the petition opinions which were broadly stated in it, and to point out the consequences which would result from adopting them. It appeared to the hon. and learned Gentleman that three millions of persons had signed this—to use his own expression—trashy and contemptible petition—and had made out their case. The hon. Member, at the same time, stated, that he was convinced that the great portion of the petitioners did not assent to the opinions put forth in it. Now he thought that the House was bound to believe, that the petitioners were sincere, and therefore he thought that not one item in the right hon. Gentlemen's speech had been overdrawn. The hon. and learned Gentleman had endeavoured to draw attention from the petition, to other matters which he said were not involved in it. He did not think, that it was necessary to speculate on the constitutional doctrines broached by the hon. and learned Gentleman, who seemed to think that the greatest benefits would arise from the adoption of the Utopian schemes which he had put forward. The hon. and learned Member for Bath seemed to expect some new Atalantis or Utopia to arise, in which everything would be conducted on the principles of the strictest justice and good faith; but he confessed he thought the solution of the right hon. Gentlemen much more likely to be the true one, and that the armed man would rise. We had never seen a Utopia in this country, but we had seen a Cromwell, and knew the evils which followed in the train of violent transfers of power. If he opposed this measure it was because he believed it was for the interest even of the three millions and a half themselves who had signed this "miserable, trashy, and contemptible petition," again to quote the hon. and learned Member for Bath—drawn, as it was, by some one whom the hon. and learned Member said he knew, and therefore considered with the disrespect and contempt which belonged to him, but whom he (Lord F. Egerton) did not know, and therefore did not regard with any such feelings. For these reasons, he thought if the Government acceded to the prayer of this petition they would be unworthy of the situations they held, and betraying the interests confided to them; and if the gentlemen who constituted the late Government were to yield to such a demand, he should say they would have to abdicate the rule and guidance and control of those intelligent gentlemen who supported them, and acknowledged the sway of their talents and abilities. Although he felt the unpopularity to which he might be thus exposing himself as contrasted with the hon. Member for Bath, he had thought it right to take this opportunity of expressing his concurrence in the sentiments of the right hon. Gentleman opposite, and stating his opinions of the course which the Government ought to follow.

Mr. *Hawes* as the representative of a large c nstituency, felt called upon to come forward to state his opinions to the House. He must say, that the able speech of his hon. Friend the Member for Bath, which was delivered with that manfulness and fervid eloquence which so strikingly characterised all his speeches, had failed to bring conviction to his mind. His hon. Friend said, that they were not called upon to vote for an inquiry into the subject matter of the propositions contained in the petition, but to give a vote for or against the charter—and it was upon this they must take their stand. Now, he (Mr. Hawes) did not believe, that at the present moment it would be prudent to concede this measure; but this opinion, on his part, did not arise from any want of trust or confidence in the people. He had, ever since he had been in that House, supported practical measures of reform; but there was a great distinction between voting for such measures and voting for the charter. The right hon. Member for Edinburgh, had hardly been fairly dealt with by the hon. Member for Bath. He at least had not understood that right hon. Gentleman as having expressed any such distrust of the people of England as was imputed to him by the hon. Member. When he recalled to mind the language made use of at certain public meetings which had been held of late throughout the country—not of honest, enlightened, labouring mechanics, towards whom he felt every respect, and whose claims to the electoral franchise deserved all consideration—but of masses of men, blindly led by those very men for whom the hon. Member had expressed such merited contempt, he would ask whether the hon. Member could really wish them to entertain a petition emanating from masses so led, and by whom language of the most outrageous character was received with undoubting approbation. He was certainly not prepared to repeal the Reform Act; he was not prepared to say, that it had been an entire failure. When he looked back at the last ten years he saw many remarkable measures of parliamentary reform, many measures which had improved the condition of the country; and he looked to the further operation of that act for other measures tending still more to parliamentary reform and to the improvement of the people's condition. A good deal was said about the class-legislation of the few, and a good deal might justly be said about it: but, at the same time, there might be a class-legislation of the many, which might be very injurious to the welfare of the country. The present proposition, in effect, was not one for inquiry, but a vote for a definite object, and he for one, must enter his humble protest against being supposed to act by any accident for the charter; but, at the same time, he was a warm advocate for the progressive improvement of the people, and every measure practically tending to that object would find in him a steadfast friend.

Mr. *Hume* said, that he regretted the violent language which had been used by some individuals at certain public meetings quite as much as the hon. Member for Lambeth could; but surely it was not just to blame the whole body of these petitioners, and the people at large, because a few rash men had made use of improper language. As well might he bring a wholesale charge against hon. Members on the opposite benches because one of their leading organs had made use of such language as this: that "England would be as great and as powerful, and Englishmen as rich as they were now, if ruin were to engulph the whole of the manufacturers of the country." [Sir *R. Peel* never saw such a passage.] It appeared in the *Standard*, and was copied into most of the other papers. Let us judge of the petitioners by the petition which they had sent to that House, and take it as it really was, the good with the objectionable parts. The right hon. Member for Edinburgh (Mr. Macaulay), had accused the people of England of a disposition to spoliation; but he (Mr. Hume) must remark, that there was nothing whatever in their demands for political rights which could support that accusation. He would ask the right hon. Gentleman to point to any request amongst those demands which could in any way injure either public or private property. They demanded the electoral suffrage, and he would ask, was it fair, that men who are liable to be called on to defend their country by sea and by land, and also obliged by taxation to contribute their share to the support of the Government of the country, should be deprived of their constitutional rights in that and in other respects? He could not see anything wrong in giving an extension of political rights with reference to the election of representatives in Parliament to all those who thus served their country; and so far from anticipating any evil from it, he thought it would be the best and only means of obtaining good Government by preventing class-legislation. He would ask, was not the complaint of the people as to the partial character of the taxation of the country generally just? Was it not partial in the highest degree? Were not the working classes taxed infinitely more in proportion to their means than the possessors of extensive property. He recollected well that when the Reform Bill was under the attention of the country, very disastrous results were foretold by hon. Members opposite, as likely to arise from a reformed Parliament, and the right hon. Member for Edinburgh stated that ruin and anarchy would be likely to arise from an acquiescence by this House in the demands of the people for an extension of political rights. The right hon. Member when he wished to frighten the House, described the evils that he thought would follow the granting to the people that extension of political rights which they demanded. When he asked the House to entertain the petition, he wished to remind them that it did not follow that all the claims of the people demanded in the petition should be acceded to at once; a portion of them only might be granted; and, therefore, the argument against an acquiescence in all those demands to their fullest extent would not apply to them. He desired to state to the House that the surest way to prevent revolution was to listen to and redress the well-grounded complaints of the people. He could not allow the unjust interpretation given by the right hon. Member for Edinburgh of the motives of these men to go uncontradicted. He (Mr. Hume) had a right to be heard against the conclusion to which the right hon. Gentleman had come with respect to those petitioners. He repeated, that the surest way to prevent revolutions was to listen to the complaints of the people. He thought that the people had an additional claim to be heard, on account of the moderation and patience with which they had borne their privations and sufferings. That their conduct was distinguished by patience and forbearance was admitted on both sides of the House. He would call the attention of the right hon. Member for Edinburgh to one paragraph in the petition, "And whilst your petitioners unequivocally condemn the levying of any tax upon the necessaries of life, and upon those articles principally required by the labouring classes, they are also sensible that the abolition of any one monopoly will never unshackle labour, and relieve them from misery until the people shall possess the power of electing their representatives under which all monopoly and oppression by class-legislation must cease." [Read on.] He would read on, "and your petitioners respectfully mention the existing monopolies, of the suffrage, of sugar, of paper money, of machinery, and of land."

Did not the present system maintain a monopoly of paper money, of machinery, and of land? He contended that it did. Was not one effect of the law of entail and primogeniture to produce a monopoly of land? He did not hesitate to say, that the laws maintained in this country were the cause of great misery to the mass of the community. He wished to give a fair explanation of the motives of these petitioners and to deny those attributed by the right hon. Member. He contended that unless the just complaints of the people were listened to they could have no hope of anything like peace and contentment in the country. When he thus attempted, however feebly, to correct the misrepresentations of the right hon. Member for Edinburgh, he was met by hon. Members with a laugh. Were they laughing at the miseries of the people, or at what were they laughing? If the complaints of the people were worth attending to they ought to be heard with attention and patience. He had this day received accounts from some parts of the country descriptive of the existing great misery and suffering on the part of the people. These scenes of distress were going on and increasing in the country; and was it at these that hon. Members were laughing? Perhaps he (Mr. Hume) had made an imperfect explanation of the case; but he had endeavoured to remove from large numbers of his fellow countrymen those charges of a desire to spoliate which had been made against them by the right hon. Member for Edinburgh. He contended that there was not a sentence in that petition that could warrant those charges. Could any one deny, that great suffering existed amongst millions, in this country, and there was no doubt in his (Mr. Hume's) mind that the Corn and Income-tax laws passed by Parliament would aggravate these evils, if they did not create them. Injustice must be inflicted whilst they maintained by a system of class-legislation monopolies which benefitted the few at the expense of the many. He trusted, therefore, that House would not refuse to hear at the Bar the complaints of the people. Why not let them tell their tale, and state to Parliament the grievances under which they suffered? That would at any rate manifest some sympathy for their sufferings. The changes in the tariff which were now proposed by the right hon. Baronet were only a commencement of, he hoped, a liberal system of trade which would take years to work out; and what, in the meantime, was to be done to lessen the mass of misery which existed amongst the people? Bribery had taken place to a great extent at late elections, but if large classes of the people had a voice in electing representatives they might set bribery at defiance. He wished to see an equal and consequently a just distribution of the electoral power, so that one man would no longer be the representative of a constituency of many thousand electors, and another represent only one or two hundred. He was for extension of the suffrage to all males of twenty-one years of age, and not tainted with crime; and also for electoral districts with equal number of electors in each. It was a mistake to suppose that there was not sufficient worth, virtue and intelligence in the people that would secure the return of proper representatives. He was prepared to place confidence in the working classes, as they had always acted as honestly, or perhaps more so, than the richer classes. If the people generally had votes it might be expected that justice would be done to all, that unjust laws would be put an end to, and the progressive but permanent improvement of the people and of the country be obtained.

Mr. *Wakley* had heard with extreme surprise and regret the speech delivered that evening by the hon. Member for Lambeth, and he must say, that he was sorry to find any single Member of one of the newly-enfranchised metropolitan boroughs prepared to vote against so reasonable and just a proposition as that under consideration. When the metropolitan boroughs were enfranchised, it was feared that through their means some very troublesome Members would obtain admission into that House — Members whose principles were as objectionable to the majority opposite, as the sentiments contained in the petition on the Table. He thought, however, that the House had little reason to complain of such annoyance, and certainly they would have still less if all the Members for those boroughs were to take a political lesson from the book of reform as it was read by the hon. Member for Lambeth. That book was a large volume, but he thought he might search it through in vain to find the page which contained the specific principles of that hon. Gentleman. If, however, he was surprised at his speech, he was equally, if not more surprised, at the silence preserved by Members on the Ministerial benches. He had expected on a question affecting the rights and interests of the working classes, that the eloquence of hon. Gentlemen opposite, which had been so kindly exerted on the subject in other places, and which had been followed by successive rounds of Kentish fire, would have been heard in their favour on the present occasion. He had entertained some hope that those who were so loud in their denunciations of the Whigs for neglecting the interests of the people, would not, in this instance, have forgotten their former advocacy. Though no voice on the other side had yet been raised for that purpose, he hoped that before the debate concluded they would come to the aid of the people, and never could they do so with better effect. The discussion of this question had in his opinion taken too wide a range. The proposition before the House was a simple one, and its statement might be comprised in a nutshell. It was merely this—3,300,000 of their fellow-countrymen asked permission to state their grievances at the Bar of the House, and the reply to be given to it was "yes" or "no." That was the simple question stripped of all disguise, and the answer to be given would show whether the people were still to entertain a hope of justice from that House, or whether the reply would fill with disappointment and indignation upwards of 3,000,000 of their fellow-countrymen. Even the very hesitation of the House to answer in the affirmative showed the justice of the request made by the petitioners. 3,300,000 petitioners sought an opportunity of stating their grievances at the Bar of the House, and the House hesitated to answer their just demand. The petitioners at the outset alleged that they were unrepresented in that assembly. Then why not yield to their request, and allow them in their own way to make their candid and honest statement? Could that be considered a land of liberty or justice where so fair a request was refused? Was it not only fair, after what had fallen from an eminent Whig leader, to see these men, to hear their statements, and permit them to show that they were not the turbulent and sanguinary beings that they had been represented? For his own part, he was surprised to hear a Gentleman of such lively imagination, of such comprehensive judgment, and such extensive intellectual powers, give such an appalling description of the character of the people of England. Why, where did the right hon. Gentleman reside? How did he pass his time? With whom did he associate, or where could he find aught which would warrant or justify the description which he had given of upwards of 3,000,000 of Englishmen? Where would the right hon. Gentleman select his specimens to prove the truth of his description? Would he find them in the navy? Were the sailors of Great Britain mutinous, cowardly, or treacherous? Were the soldiery of this country mutinous, pusillanimous, or disobedient? What was the character of our merchants, of our professions, of our trades? Was it not too bad to make such sweeping assertions, and condemn a whole people in the mass. Let the right hon. Gentleman, if he could, point out a single class to whom the description would apply. Would he say the carpenters? Would he say the smiths? Would he say the shoemakers? The circumstances were such as to demand something more tangible and specific than the right hon. Gentleman had favoured the House with. He was not so favourable to the petition as the hon. Member for Edinburgh had represented himself to be. On the contrary, there were many points in it in which he did not concur, and if any Member in the House was bound more than another to support the motion that the petitioners should be heard at the Bar, it was the right hon. Member for Edinburgh, seeing what an aptitude and readiness he exhibited in showing his progress as a scholar in the school of reform. It was only ten years since that he was opposed to such an extension of the suffrage, and he was still opposed to that point; but he had since then come round to the five other points of the charter. It was to be presumed, therefore, that when the right hon. Gentleman had heard the arguments which might be urged in its favour, it would be possible to bring him to a favourable reception of the sixth. Though the right hon. Gentleman had declared his determination to resist universal suffrage, yet as he had made no finality resolution, it might be possible to induce him to make some approach to it. He hoped the House would not, by deciding against the motion, excite dissatisfaction and discontent amongst upwards of 3,000,000 people. He was aware it might be urged that the vote upon the question would be construed into saying "Aye," or "No," as to the charter, but he denied *in toto* that it was capable of such construction. He, for his part, was not an advocate for annual Parliaments, being of opinion that triennial Parliaments would work much better. He disclaimed the question as being one which involved the adoption or rejection of the charter. It was simply whether, as he had said before, 3,300,000 of their fellow-countrymen would or would not be permitted with their own tongues to state their grievances in their own language at the Bar of the House. Was the House, he would ask, determined, at all hazard, to stand by the present system of representation? Was the 10*l.* constituency so pure and incorruptible as to be the best which could be selected? Look to the disclosures made in the committees respecting the gross corruption which characterised the last election. Was that corruption practised by the working people —by those mechanics who had been so described by the right hon. Gentleman? No, it was the work of the very electors whom that House had chosen as the very best basis of a constituency. Nothing could be more dangerous to the constitution of the country than the practices which had been exposed in the late inquiry. They unhinged all reliance upon our social institutions, and created an astonishment in the public mind to think that such abuses and corruptions should be so openly practised. The working people attributed the fault to the Legislature. They demanded to be admitted within the pale of the constitution, that they might endeavour to cleanse the foul stream of corruption; and, in his opinion, their request was a reasonable one. He had seen much of the working people of this country—indeed, few had seen more. He had also seen much of the working people in other countries, and he could confidently say, that he never witnessed more honest sincerity, or more real and sterling worth, than the working men of England exhibited. [*Cheers.*] He was glad to hear that opinion cheered by hon. Gentlemen opposite. How then could they reconcile it to themselves to retain those people in the position of a servile class? How could they say that the inhabitant of a 10*l.* house was better or more trustworthy than he who inhabited a 5*l.* house? In what did the superiority exist? Was it in the brick and mortar—was it in the furniture or attire—or was it in feeling and intellect—in head and heart? Before the New Poor-law was enacted, there was little necessity in the country for bolt or bar; no rural police were required; but now the people felt the injustice of the enactments levelled against them; and when the right hon. Gentleman the Member for Edinburgh asked what would be the character of the laws if they were enacted by the people, he should remember that none could be more cruel or sanguinary than the New Poor-law. When it was considered how it pressed upon the widow and the orphan and the aged octogenarian, he would fearlessly ask what law could be more cruel in its operation, and he would add, that the working people could never enact a law against the aristocracy of a more severe nature. Under the circumstances in which this country was placed, and considering the distress which prevailed, he thought it incumbent on the House to listen to the tale of the petitioners and hear the statement of their grievances; and he should, therefore, considering that they were unrepresented in the House, give his most cordial support to the motion.

Lord *J. Russell:* Considering the importance of the petition presented to the House, and the great number of signatures attached, I could not abandon my duty by not coming down to the House for the purpose of expressing my respect for the petitioners, and at the same time, declaring my abhorrence of the doctrines set forth in the petition. Let me, however, in the outset at once meet a charge which has, I think most unfairly, been imputed to those who are prepared to vote against the present motion. I deny, that I and others who are opposed to it are amenable to the charge of want of sympathy with the sufferings and privations of the working classes. We know how many thousands of our fellow countrymen are subjected to the most severe privations. We feel compassion for their sufferings, and at the same time we admire the fortitude and forbearance with which those sufferings are endured. But when we are asked to comply with the motion, it seems to be taken for granted, and assumed that we can thereby relieve the distress. This, however, I must be permitted to deny. My right hon. Friend near me has met the question on that ground. The hon. Member for Bath said, that if the institutions of the country were brought under discussion, the House would be enabled to see what alterations could be made in them for the purpose of insuring good government. That may or may not be a fit subject for inquiry, but it is in the first instance the duty of the Legislature to see what would be the effect of such a course. If an inquiry is to be entered into with respect to all the existing institutions of the country, how many great questions would be thrown loosely abroad? An inquiry will be raised as to whether faith should be preserved for the public creditor. Again, questions would be put as to the right of property in land, and with respect to other institutions which are now looked upon as inviolable. Have not those, then, who are opposed to the motion, good ground to argue against the danger of throwing the ancient and venerable institutions of the country into question? The result of such a course would be to transfer the capital of Great Britain into other countries, and by diminishing the funds from which labour is supplied, to throw the working classes into a still worse condition than that in which they are at present placed. Under these circumstances, then, whether hon. Gentlemen vote for or against the motion, they should be esteemed as willing to enter into a consideration of that which was best for the good of the working classes. My right hon. Friend, the Member for Edinburgh, has pointed to that passage in the petition which declares that the debt had been imposed upon the country by persons who had no right to impose it. He also showed, that the petitioners complain of paying taxes to meet the interest of that debt, and of the existence of property in land and machinery, which they style monopolies. It has been said, that my right hon. Friend, in taking this course, made unjust allegations against the people. I deny that he accused the people of any intent to plunder. The hon. and learned Member for Bath, usefully perhaps for his own argument, but not very fairly as regards my right hon. Friend, called this a trumpery petition, drawn up by a person whom he styled, I think, a malignant and cowardly demagogue. It was in these words, that the hon. Gentleman described the purport of the petition, and the character of its author. Has he not then himself made an accusation against the 3,300,000 persons who signed the petition, which he thus describes as a paltry one, drawn up by a cowardly and malignant demagogue? If the hon. Member denies that he has done so, how can he accuse my right hon. Friend of aspersing the petitioners? My right hon. Friend said, that the petition contained certain allegations. This the hon. Member for Bath admitted, but he said, let us throw them aside. Now, might not the persons who were misled into the appending their signatures to such a petition be equally misled in the choice of the persons whom they would return as their representatives to that House? The hon. and learned Gentleman said, that in modern times we were supposed to have made a great discovery when we hit upon the mode of enacting our laws by delegation, instead of adhering to the ancient mode of taking the vote in the market-place. I, for my part, think it an admirable contrivance; but if, in the choice of their representatives, the people can be so deceived, as to give their suffrages in favour of a person such as the hon. Member for Bath described the framer of the petition to be, it would be carrying into effect the destruction of private property and the destruction of our institutions, at the same time that the respect for the law, which the hon. Gentleman so truly praised as a characteristic of our countrymen, would, when they were in the hands of designing and plundering leaders, only induce an obedience to the measures which would enable these latter to carry more completely into effect those revolutions to which the people themselves might be opposed. It is clear that the person, whoever he may be, by whom the petition has been drawn up, would apply what had been called the sponge to the national debt. That person denied, that the debt was a national debt, but, on the contrary, so to call it was but a pretence, and that it might with justice be swept away. Now, for my part, I believe, that if you could gather together in the market-place all the adult males in the country and show to them that the obligation by which the public faith was bound to the present national creditor was a legal and a just obligation, and that a breach of it would operate with great injustice and cruelty, by sending to want and beggary people who had hitherto relied upon it as a means of comfortable subsistence, the people would repudiate the proposition as unjust and iniquitous, and would to a man refuse to participate in so cruel a spoliation. But, then, I am not quite so confident that those by whom the petition was signed might not be misled by the cry of the moment into the choice of men as their representatives who, under the pretence of the public good, would enter upon that spoliation of which the people were incapable. It is, therefore, that I prize the institution, which I look upon as the pride of modern times, which by delegation renders men more circumspect as to the hands to which power is to be intrusted. It is my opinion, that property, intelligence, and knowledge, should form the qualification of a constituency, and though I cannot undertake to say, that the present is the very best which could be had, I see in it a greater security for the continuance and preservation of our institutions, and the peaceful progress of freedom, than a resort at once to the principle of universal suffrage. I am aware, that it is a doctrine frequently urged, and I perceive dwelt upon in this petition, that every male of a certain age has a right, absolute and inalienable, to elect a representative to take his place among the Members in the Commons House of Parliament. Now, Sir, I never could understand that indefeasible and inalienable right. It appears to me, that that question, like every other in the practical application of politics, is to be settled by the institutions and the laws of the country of which the person is a native. I see no more right that a person twenty-one years of age has to elect a Member of Parliament, than he has to be a juryman. I conceive that you may just as well say that every adult male has a right to sit upon a jury to decide the most complicated and difficult questions of property, or that every man has a right to exercise the judicial functions, as the people did in some of the republics of antiquity. These things, as it appears to me, are not matters of right; but if it be for the good of the people at large, if it be conducive to the right Government of the state, if it tend to the maintenance of the freedom and welfare of the people, that a certain number, defined and limited by a reference to a fixed standard of property, should have the right of electing Members of Parliament, and if it be disadvantageous to the community at large that the right of suffrage should be universal, then I say, that on such a subject, the consideration of the public good should prevail, that legislation must act upon it as on every other, and that no inalienable right can be quoted against that which the good of the whole demands. The hon. Gentleman who spoke last said, that my right hon. Friend, the Member for Edinburgh (Mr. Macaulay) had given a terrific representation of the people of England—had described them as sanguinary and as anxious to destroy, to commit massacre and to plunder. Now, Sir, my right hon. Friend made no such representation. For my own part, I think it is very likely that at many elections, even if universal suffrage were in operation, you would find that respect for property, respect for old habits, and general regard for the constitution of the country, would produce results not very different from those which are produced when property is one of the qualifications required for the franchise. But although that might be generally the case, I do not think that in the present state of popular education — I will not say whether a standard of education sufficiently high can ever be obtained among the labouring classes—but in the present condition of the people at large, I do not think you could be sure that there might not be, in a state of popular ferment on the occasion of some general election, Members returned to this House whose votes would be favourable to the destruction of our institutions, and would shake the security of property. Sir, this constitution is, I think, too precious, and the arrangements of society are at the same time too intricate, to allow you to put them to such a hazard. I can well believe, that in the United States of America—the only country which I should at all compare with this for the enjoyment of liberty and the full fruits of civilization—I can well believe, that in that country, where there is no monarchy, where every office is elective, where there is no established church, where there are no great masses of property, universal suffrage may be exercised without injury to order, and without danger to the general security of society. But in this country, where there are so many institutions, which, while I believe them to be of the utmost value in holding society together, are at the same time the possessors of great property—I speak of such institutions as the aristocracy and the church—and which might, therefore, be held out as prizes to a people in distress, I do not think it would be safe at one moment to destroy the existing system of representation, and to establish universal suffrage in its place. Acting upon these opinions, Sir, I cannot assent to that which the right hon. Gentleman who has last spoken represents as a simple prayer, that the petitioners should be heard at the Bar. I do not so understand this question. I think the hon. and learned Member for Bath has put it more fairly, in saying that it is the Charter to which you are now called upon to say aye or no. What do I find stated by the petitioners themselves? They have set forth at full length what they consider to be their grievances. Do they ask for any further explanation? Do they ask that counsel should come to your Bar, and there detail what they feel on the subject of their wrongs? Nothing of the kind. They say,

> "Your petitioners, therefore, exercising their just constitutional right, demand that your hon. House, to remedy so many gross and manifest evils of which your petitioners complain, do immediately, without alteration, deduction, or addition, pass into a law the document entitled 'The People's Charter,' which embraces the representation of male adults, vote by ballot, annual parliaments, no property qualification, payment of Members, and equal electoral districts."

That language is very plain, it is very explicit, but it is, at the same time, I must say, very peremptory. Is it not a demand to be heard at the Bar. [Mr. *T. Duncombe*: Look at the previous paragraph.] The words are,

> "If your hon. House will be pleased to grant your petitioners a hearing by representatives at the Bar, your petitioners will be enabled to unfold a tale of wrong and suffering,"

and so forth. Well, but they follow that up immediately afterwards with the demand I have recited. [Mr. *T. Duncombe*: If their first prayer is refused.] And they say, that in making this demand, they are exercising a just and constitutional right. They may ask to be allowed a further explanation of those evils of which they complain, but they ask it with a view of establishing the Charter. Sir, I cannot believe that any counsel or agent standing at that Bar would persuade me to grant the six points of the Charter. I should give my vote, whatever speeches might be made at the Bar, against those proposals. I therefore think myself bound at once to put an end to the motion, and having thus explained my views, I will not endeavour to hide my vote by any pretence, that I wish merely to hear an explanation of their demands. I believe it will be far better for the people, better for their future welfare, if you do not mean to grant the prayer of these petitioners, that you should at once declare to them your belief that your compliance with the prayer of the petition will tend to shake property—will tend to increase the privations of which they complain—will unhinge that constitution of society which, complicated and intricate as it is, has produced so many blessings to this country; that to you is intrusted the great, the responsible, the arduous duty of legislating in behalf of this kingdom, and that in discharge of this common duty you are obliged to put a negative on the demand of the petitioners.

Sir *R. Peel:* Sir, I hope I should have been exposed to no misconstruction if I had remained silent, yet, from the course which this debate has taken, I am unwilling to expose myself to the hazard of a misconstruction, or to shrink from the duty of declaring boldly and decidedly my opinions on the subject of this petition. Until I heard the construction put upon its prayer by the hon. Gentleman (Mr. T. Duncombe), I thought there had been two propositions to be considered by the House,—not quite consistent or compatible it is true,—but still on the face of the document there appeared to be two proposals. The one, that I should admit the petitioners to be heard, in order that they might state their grievances by their counsel or agents, while the other appeared to be an imperative demand that I should immediately, and without consideration, pass into a law every demand that is contained in the charter. Sir, I do not want to take any advantage of the charter for the purpose of vindicating my vote. If the question of the charter be not before us, I am ready to give my vote against hearing the petitioners at the Bar of the House of Commons in support of their allegations. I shall give this vote on various grounds. First, I am satisfied that I cannot be convinced of the policy of acceding to the prayer of this petition. I come to the conclusion to which the hon. Member for Leicester has already come—the foregone conclusion, that those demands, if complied with, would be mischievous to the petitioners themselves, and having come to that conclusion, I think it more just and more respectful to tell them that I do not intend to accede to their petition, than to give them a delusive hearing, which I know can have no useful result. Why, Sir, what does the hon. Member for Finsbury, the Colleague of the hon. Gentleman, tell me? That on the result of my decision with respect to the hearing of the petitioners will depend either awakened hope or fearful despondency. Well, I will not awaken hope by countenancing expectations which I know must end in disappointment. The hon. Gentleman says he wishes to pledge me to nothing, he only wishes me to hear the grievances detailed. But he asks me to hear the allegations of the petitioners, and those allegations are neither more nor less than an impeachment of the whole Constitution of this country, and the whole frame of society. The petition tells me that it is wrong to maintain an Established Church—it says that 9,000,000*l.* of money are annually abstracted from the people for the purpose of maintaining the church. The petition tells me that the people of Ireland are entitled to the repeal of the union. The petition draws a most invidious comparison between the expenses of the Sovereign and those of a labourer. I say the petition is altogether an impeachment of the Constitution of this country, and of the whole frame of society. And how am I to gratify the demands of the petitioners? Hear them at the Bar! Why, if I hear them, let me hear them effectually. But is it an effectual hearing to permit four or five persons on their behalf to make speeches at the Bar of the House? Are those speeches to be relied upon? Suppose the speeches at the Bar failed of producing an effect, and a demand were then made for an inquiry, should I refuse it, or suspend the whole public business of the country, in order that the bulk of these allegations might be ascertained as to the policy of an Established Church, and a repeal of the union? Is not that the only effectual way in which the petitioners would have an opportunity of explaining their grievances? and is it for the advantage of the petitioners themselves that I should suspend the public business of the country for the purpose of inquiring into this subject? What is the petition? If I had a doubt, which I have not, upon this subject, strange as it should seem, the speech of the hon. and learned Member for Bath would have convinced me that the greatest absurdity ever committed would be to enter into an inquiry with respect to the allegations in this petition—a petition which does not represent the sentiments of those who signed it—a petition that is utterly at variance with the judgment and good sense of the 3,000,000 of petitioners, but which has been imposed upon them by a cowardly demagogue whom the hon. Gentleman knows, and whose personal knowledge of his character entitles him to speak of him with disrespect and contempt. I take the description of the petition from the hon. and learned Gentleman himself, and could I admit the framer of this petition, a person so described by the hon. and learned Gentleman—a man who has perverted to his own evil purposes the minds of the respectable, intelligent, industrious, honest labouring classes of this country, to the Bar of this House, for he no doubt will be the person selected to defend the allegations of this trashy petition which he has drawn up, without being a party to the continuance of that delusion under which they labour? It is into the allegations of the petition that the hon. Member for Finsbury asked me to go; and the allegations of the petition have been described by the hon. and learned Gentleman the Member for Bath. When I refer to the prayer of the petition, when I refer to the character of him who is said to be its author, when I refer to the certain consequences of raising expectations which I know I must disappoint. I must say I think I am acting more respectfully and more justly towards the petitioners in refusing at once to accede to their demands, than by giving them a delusive hearing at the Bar and afterwards telling them they have made no impression whatever on my mind. The hon. and learned Member for Bath has described the character of the people of England. He said, that in other countries of Europe the appeal was to force, while in this country the appeal was to law. He said, the labouring classes possessed the physical force, which if they were inclined to enforce it would overpower every opposition; but they were controlled by their good sense and by their willing obedience to the law, for which they entertained respect. The hon. and learned Gentleman pointed to the decrepit constable going into the midst of a crowd and seizing a powerful man; the officer of the law was unresisted: and although his prisoner was a person of much superior strength, he evinced a willing submission to authority, and the people by whom he was surrounded offered no opposition; but what nerved the arms of the constable? why it was the tacit influence of the law, that stood behind him. And what had given that influence to the law? What but the conviction that it is just? Do you believe that if the people of this country were in the condition described in this memorial, which declares that

> "This House has by unconstitutional means created an unbearable despotism on the one hand, and a degrading slavery on the other,"

If that was a just representation of the people and the constitution of England, would that law which backs the decrepit constable possess the authority and influence it now exercises? Do you think the people, of whom the hon. and learned Member has given such a description, would have that respect for the law they now entertain, if they did not feel that that law which guarantees property, which secures liberty, is a law equally for the poor and the rich? What description was given of the people of England by the other hon. Member for Finsbury? He said,

> "I have travelled through various parts of Europe; I have had opportunities of observing the condition of the labouring classes abroad, and comparing it with our home population, and I defy you to find a more intelligent, a more prudent, a more independent, or a more high-spirited race than the people of England."

I grant it; but I ask him what has formed their character? Is it to the bricks and stones of their houses that we must attribute their character? No, it is to the laws and institutions of a free country. The high-minded independent character of which the hon. and learned Gentleman spoke has been formed under those laws and institutions of which this petition contains the impeachment. And if it were true that we lived in a state of despotism on the one hand, or degrading slavery on the other, the people of this country would never have that respect for authority, nor would they deserve the character which the hon. and learned Gentleman has given them. I did not understand the right hon. Member for Edinburgh to state, that the people of this country were of a sanguinary disposition; and that if we admitted them to power, spoliation of property would be the result, but that there would be great danger if they consented to the prayer of this petition, so prepared by a designing and cowardly demagogue, adopting the description of the hon. and learned Gentleman; or, if this be a libel upon the petitioners, how can the hon. and learned Gentleman maintain that those who have been parties to a petition so full of trash and delusion, might not in other instances fall victims to other designing demagogues, who may say to them, "Now you are possessed of power, now you have the means of exercising it, and you are a degraded and cowardly race if you do not enforce your own terms?" I do not believe they would at once yield to such delusions; but what security can the hon. and learned Gentleman give, that having been deluded once, the petitioners would not be deluded again? I understood the right hon. Member for Edinburgh to argue, that, if you make an alteration in your constitution upon principles like those laid down in this petition—which states that public faith ought not to be maintained, and that the public creditor should not be paid, because debts were incurred by Parliament without due authority for the support of wars which were unjust—which affirms that the possession of the land is a monopoly—that machinery is a monopoly, if you allow the petitioners to come to your Bar, to advocate an alteration of the constitution on those principles, you will be exciting hopes and expectations which you cannot realize without leading to confusion, and which you cannot disappoint without danger. I understood the right hon. Gentleman to argue that anarchy and confusion must arise from that state of things, because there would be no security for property; and that, in fact, uncertainty and spoliation of property must necessarily arise. But I did not understand him to affirm of the people of England that they were of a sanguinary and barbarous disposition, and inclined to possess themselves of the property of others. On account then, of the delusion which must arise from granting the prayer of the petition, I cannot accede to this motion. If I am told that the charter is involved—if I am now deciding the question of universal suffrage, annual Parliaments, and vote by ballot, I am content to rest the issue upon that ground also. I believe that universal suffrage will be incompatible with the maintenance of the mixed monarchy under which we live—I believe that mixed monarchy is important in respect to the end which is to be achieved rather than in respect to the means by which it is gained—that end I understand to be the promotion of the happiness of the people; but in a country circumstanced like this, I will not consent to substitute mere democracy for that mixed form of Government under which we live, and which, imperfect as it may be, has secured for us during 150 years more of practical happiness and of true liberty than has been enjoyed in any other country that ever existed, not excepting the United States of America, not excepting any other country whatever. We may be suffering severe privation. I deeply regret it, I sympathise with the sufferers, I admire their fortitude, I respect their patience, but I will not consent to make these momentous changes in the constitution, with the certainty that I shall afford no relief to the present privation and suffering, with the certainty only that I shall incur the risk of destroying that constitution, which, I believe, if you will permit it to remain untouched, will secure to your descendants as it has secured to you and your ancestors, those blessings which you will never find in any rash or precipitate changes, however plausible in speculation they may appear to be.

Mr. *Macaulay* desired to say two words of explanation in reference to the matter just adverted to by the right hon. Baronet. He denied most distinctly that any expressions imputing cruelty or a sanguinary disposition to the people of England, or anything whatever of that nature, had ever passed his lips. His argument had not led to anything of that sort, and he appealed to the memory of every Gentleman present, whether he had drawn any parallel with the cruelty of the French revolution, or had given utterance to any expression of that nature? He made no such allusion whatever.

Mr. *Muntz* said, that as the debate had taken such a peculiar turn, in consequence of the construction put upon the motives of those who might vote for the present motion, he felt called upon to explain the reason why he should vote in its favour. It was the same reason that induced him to vote for the motion of the hon. Member for Rochdale the other evening. He should vote for the motion, simply on the ground of inquiry. When he looked around him, and saw thousands of his fellow-countrymen starving from the want of the necessaries of life, and from the want of labour to procure those necessaries, and when he found 3,000,000 of the people appealing to that House to be heard on the subject, he could not make up his mind to reject the prayer of the petition; 3,000,000 of his starving fellow-countrymen was a vast number; and though he believed with the right hon. Baronet opposite that there were many desires expressed in the petition which would never realise the hopes of the petitioners, or conduce to the good of the nation, yet he could not make up his mind to reject the prayer that the petitioners might be heard.

Mr. *Oswald* opposed the motion, on the ground, that if carried, it would delude the people, and'buoy them up with false hopes.

Mr. *Villiers* said, that he thought there was something quite as shabby as voting for this motion, as the hon. Member who had just preceded him had described it, which was, that Members should, after encouraging the people, by every means, to mistrust this House; and after doing everything to bring this House into discredit, and encouraging the people to believe, that the remedy for their wrongs was to be alone found in its reform, to turn round upon the people when they prayed to be heard to this effect, and denounce their projects as wild, dangerous, and visionary. This it was that Gentlemen who are now assuming to themselves great credit for being prudent and practical, are eternally doing in the House and out of the House. They, in fact, tell the people, that they are oppressed by laws made by interested men, and that while the House was so composed, they would have no other laws, and when the people at last believed them, and came here to seek redress, then it seemed, that they could only do so, but with the wildest and most dangerous objects. He was not in the habit of encouraging the people to believe, that there was much to be gained by changing the constitution; but he was constantly met by some of these practical people who told him, that nothing could be so idle as to agitate the Corn-laws, while the House was composed as it was; and that to expect the abolition of any monopoly in which the majority was interested, without reducing that majority, was placing the cart before the horse. Well, the people believed this—many hon. Members had said it so often, that the people believed it. They could not doubt the truth of what hon. Members said of each other. The two great parties were constantly abusing each other, imputing to each other every bad motive, and to each other's acts every evil which befel the country; was it wonderful that the people out of doors, suffering, seeking for a cause for the evil, should believe Members when they spoke thus of their own conduct? What was the substance and effect of the petition? Why, to express the belief of the petitioners, that they were suffering from this kind of sinister legislation, and they prayed to be heard in proof of the facts, with a view to its correction. He said, then, that those hon. Gentleman were not in the position, after having by various ways encouraged the opinions, and raised the hopes of the people, that they would be benefitted by this means, to turn round upon them and say, that they would not hear their case. He did not dispute the truth of much that he had heard against the petition, or much that had been said of the delusion under which the petitioners laboured; still, he thought that was no reason why, under the peculiar circumstances of the country, they should not be heard. He would not be bound by the intolerance which was attempted to be practised by different Members, who put their own construction on the particular motion, and then condemn every man who did not subscribe to their views. He should exercise his own judgment on the matter; and if he had any doubt he should be guided by what the Mover had said himself; namely, that the petitioners simply sought to be heard by their counsel or agent at the Bar, and he should vote for nothing else. People were going to vote against this on account of the dangerous consequences of extending the suffrage suddenly, but who said, that they were for its gradual extension. Why, if the petitioners were heard and treated fairly, they might see the importance of not claiming anything beyond the gradual extension, and many evils now complained of might be cured by thus giving the subject a patient consideration. He had proposed, that counsel should be heard against the Corn-law as affecting manufactures, and he remembered it was objected to by many, because they said they would not be convinced, that the Corn-laws were an evil, or that they ought to be changed. But how much misery and evil might have been saved, had they heard counsel and evidence on that matter at that time; for what was offered to be proved then is generally admitted now; but three years have been allowed to elapse, and what is the state of the country now? Who knows, then, but that much evil might be averted now, by hearing these petitioners on this subject? He objected to hon. Members who voted for this motion being identified with all the projects of the petitioners; it would have been as fair to have identified the hon. Baronet with the projects of the Orange lodges, because he did not allow any injustice to be done them. They composed a great body of his party, and were said to have had in view objects as dangerous as anything intended by the Chartists. They were charged with wanting to change the succession and tampers with the army. But though the right hon. Member had persons in his Government connected with them, did anybody think the worse of his Government on that account, or identify him with their wild schemes? Why was not the same charity, then, to be extended to other people? He thought it right, under all the circumstances, in the present state of the country, to vote that the petitioners be allowed to plead their case by counsel at the Bar and on that ground should give his vote.

Lord *Clements* said, that as no person connected with Ireland had addressed the House, and as the subject of the repeal of the union was mixed up with other topics in the petition, he begged to say a few words in reference to that point. The Irish were not very much accustomed to meet with the sympathy of the people of England, and he confessed, for one, he was not prepared to be made a cat's paw on the present occasion. The repeal of the union might be a subject worthy of discussion in itself. He did not pretend to say, that he was himself an advocate for that measure. But, however that subject might be brought forward, this was not the manner in which it ought to come before the House. If the poorer classes of this country felt themselves aggrieved, let them bring their grievances before Parliament; but what could their grievances have to do with the legislative union. He wished not to be coupled up with any petition of this kind. [*Loud cries of* "Divide, divide."] The House might be impatient, but he wished to state his opinions on the subject. The people of Ireland required much improvement and much alteration in their representative system, and in the mode of sending their Members to that House, and the sooner that subject was taken into consideration the better, for Ireland and the community at large. He trusted that some measure with regard to the registration of voters would be shortly brought under the consideration of the House, and that the Irish representative system would be cleansed from all the impurities to which it was now subject. He would not detain the House, but he begged most distinctly to reprobate the idea of Ireland being brought forward in this manner to serve the purposes of certain individuals, and when the people of that country had not the slightest chance of being admitted to those privileges to which they were justly entitled.

Mr. *O'Connell:* As I do not wish my vote to be misunderstood, I hope I shall be allowed to state in a word or two why I support the present motion. And first, let me say that I do not vote for it, because the petition asserts, that the repeal of the union is one of the objects of those who have signed it. That is a subject on which my opinion is fixed; but its insertion in this petition forms no inducement with me to maintain its prayer. In short, I do not wish to identify my views with all the doctrines promulgated by this document. The ground on which my vote shall be given is, that I am—though I may be mistaken—a decided advocate of universal suffrage. And I rest that opinion on the total failure of every man I ever heard discuss this question, and on that particularly of the right hon. Member for Edinburgh (Mr. Macaulay), to say where the line should be drawn, which determines that servitude should end, and liberty commence. I do not think, that the noble Lord (Lord J. Russell) was more successful in resisting the claims of the working men, by instituting a comparison between the demand of every man of twenty-one years of age to be a juryman as well as to vote for a Member of Parliament. There was no analogy between the two cases, because the juryman is called on to decide on the property or personal liberty of others, a voter to defend his own. For my part I repeat, until some rational line can be proved for stamping certain classes of Englishmen as of a degraded nature, I shall never consent to their degradation by law. The condition of this kingdom is one that inspires awe. I do not wish to draw any declaration from the Secretary for Ireland on the state of things there, but if I am not greatly misinformed, she is in a perilous state. There certainly is no security for the continuance of the present orderly and peaceful habits of the working classes of this country; and if you did nothing more by consenting to this motion than to gratify the wishes of a large mass of your countrymen, you would not go too far by admitting them to your Bar, and hearing their grievances under any restrictions you may think fit to adopt.

Mr. *Duncombe* replied: If the industrious classes should ever again condescend to approach this House by way of petition, I will be no party to their degradation, after the manner in which I see them treated. If the interpretation which the opponents of the motion have thought fit to put upon it is correct: if these petitioners propose a confiscation—a "sweeping confiscation" of property, as the right hon. Member for Edinburgh called it: if they wish to destroy the monarchy, the church, and the national debt, do not let your indignation at, or abhorrence of these proposals fall on the petitioners, but on the head of him who brought their petition to the Table of your House. I am the individual who is responsible. I say no Member ought to bring such a petition to your Table; and if I thought that such were the views of these petitioners, I should not be the individual to support them in this House. You have read extracts taken here and there from this petition. I do not say, if I had been consulted in the drawing of it, that I should have used the language which has been employed. There are many parts of it from which I dissent; but few of the hon. Members opposite came down to hear the real substance of that petition, though they have now arrived in shoals to deny a hearing to the people at the Bar. It is a gross misrepresentation to say that the people ask for a sweeping confiscation of property. I should not advocate the extension of the suffrage if they did. But if you allow them to be heard at your Bar, I think they will be able to establish, first, their dire distress, and next that their misery is traceable to class-legislation, and to a neglect of all interests but their own by Members of this House. They will prove these positions either by documentary or oral evidence, in a way which, I think, will bring a blush into the cheek of the right hon. Member for having libelled them as he has. I venture to say that if you hear these men, now deprived of the right of voting, the impression their evidence will leave on your minds after they have quitted that Bar is, that many of them are not only entitled to the franchise, but that this House would not be dishonoured nor disgraced by seeing them on these benches. The noble Lord (Lord John Russell) read the last and concluding sentence of the petition—which I admit is worded rather ambiguously. I do not complain of the use made of this petition by the other (the Ministerial) side, so much as the way it has been treated on this. These men say distinctly, if you will not hear them, you ought, in their opinion, to pass the Charter. But they use these words:—

> "Your petitioners, desiring to promote the peace of the kingdom, to secure property, and to promote the prosperity of commerce, impress on your honourable House, &c."

Now, where is the confiscation of property in this sentence? Where the destruction of monarchy, or of the Church, or the demand for the application of the sponge to the national debt? The right hon. Member for Tamworth made a very adroit use of the character given by the hon. and learned Member for Bath, of the person who, he supposed, drew up this petition. "A malignant and cowardly demagogue" were, I believe, the words which the hon. and learned Gentleman used; who proceeded to say that he should name the individual, if the reptile were not beneath his contempt. Now, I have got a sort of hint of the person whom the hon. and learned Member for Bath alluded to; and if he means the man whom I have heard named, he is grossly misled and imposed upon. And here let me say a word for those individuals who did actually draw up the petition. There was a difference of opinion between the Chartists, which led to a meeting at Glasgow in the course of last winter. The Scotch Chartists were in favour of excluding all mention of the repeal of the union and of the English Poor-law from this petition. The English body sent a deputation to Glasgow to explain that their object was merely to direct public attention to the misery of their condition, and to pray that they may be allowed to show that it was traceable to corrupt and class-legislation. "Let union, peace, and energy," said they, "characterise our united exertions, and they will be inseparable in the great cause of England, Scotland and Ireland." This was signed by M'Dougal, Williams, and John Campbell, and these are the men who drew up this petition, and it has been universally signed and agreed to by the industrious classes of both countries. All the great body of the working classes want is to be heard at your Bar. After you have heard them, it will be for me or some other Member to propose a remedy for the evils they depose to. Three millions of men are entitled to a hearing, and so far from the communication of political rights to the working classes endangering your constitution, it would, in my opinion, strengthen its stability.

The House divided:—Ayes 49; Noes 287:—Majority 236.

List of the Ayes.

Blake, Sir V.
Blewitt, R. J.
Bodkin, J. J.
Bowring, Dr.
Brotherton, J.
Browne, R. D.
Cobden, R.
Collins, W.
Crawford, W. S.
Dalrymple, Capt.
Dashwood, G. H.
Duncan, Visct.
Duncan, G.
Easthope, Sir J.
Ellis, W.
Elphinstone, H.
Fielden, J.
Hall, Sir B.
Hollond, R.
Hume, J.
Jervis, J.
Johnston, A.
Muntz, G. F.
Murphy, F. S.
O'Brien, J.
O'Connell, D.
O'Connell, M.
O'Connell, M. J.
O'Connell, J.
Pechell, Capt.
Plumridge, Capt.
Powell, C.
Ricardo, J. L.
Roche, E. B.
Roebuck, J. A.
Rundle, J.
Scholefield, J.
Seale, Sir J. H.

Somers, J. P.
Strickland, Sir G.
Tancred, H. W.
Thorneley, T.
Villiers, hon. C.
Wakley, T.
Wallace, R.
Ward, H. G.
Williams, W.
Wood, B.
Yorke, H. R.

TELLERS.

Duncombe, T.
Leader, J. T.

List of the Noes.

Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Acton, Col.
Adare, Visct.
Adderley, C. B.
Aldam, W.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Archdall, Capt.
Arundel, Lord
Bagot, hon. W.
Bailey, J., jun.
Baillie, Col.
Baillie, H. J.
Baird, W.
Bankes, G.
Baring, hon. W. B.
Baring, rt. hn. F. T.
Barnard, E. G.
Baskerville, T. B. M.
Beckett, W.
Beresford, Capt.
Beresford, Major
Bernard, Visct.
Blackburne, J. I.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Brodie, W. B.
Browne, hon. W.
Bruce, Lord E.
Bruce, C. L. C.
Buckley, E.
Buller, C.
Buller, Sir J. Y.
Bunbury, T.
Busfield, W.
Campbell, A.
Cardwell, E.
Carew, hon. R. S.
Carnegie, hon. Capt.
Cavendish, hon. G. H.
Charteris, hon. F.
Chelsea, Vict.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christmas, W.
Christopher, R. A.
Clay, Sir W.
Clayton, R. R.
Clements, Visct.
Clerk, Sir G.
Cochrane, A.
Cockburn, rt. hn. Sir G.
Colborne, hn. W. N. R.
Colvile, C. R.
Compton, H. C.
Conolly, Col.
Coote, Sir C. H.
Copeland, Mr. Ald.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Cripps, W.
Damer, hon. Col.
Darby, G.
Dawnay, hon. W. H.
Denison, E. B.
Dick, Q.
Dickinson, F. H.
Divett, E.
Douglas, Sir C. E.
Douglas, J. D. S.
Dowdeswell, W.
Drummond, H. H.
Dugdale, W. S.
Du Pre, C. G.
East, J. B.
Eaton, R. J.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Evans, W.
Farnham, E. B.
Ferguson, Sir R. A.
Ferrand, W. B.
Filmer, Sir E.
Fitzroy, Capt.
Ffolliott, J.
Forbes, W.
Forester, hon. G. C. W.
French, F.
Fuller, A. E.
Gaskell, J. Milnes
Gill, T.
Gladstone, rt. hn. W. E.
Gordon, hon. Capt.
Gordon, Lord F.
Gore, M.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Greenall, P.
Greenaway, C.
Greene, T.
Grey, rt. hon. Sir G.
Grimston, Visct.
Grogan, E.
Halford, H.
Hamilton, J.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardy, J.
Hawes, B.
Hay, Sir A. L.
Hayes, Sir E.
Heathcote, G. J.
Heneage, E.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hill, Sir R.
Hillsborough, Earl of
Hinde, J. H.
Hobhouse, rt. hn. Sir J.
Hodgson, F.
Hodgson, R.
Holmes, hon. W. A'Ct.
Hope, hon. C.
Hornby, J.
Howard, hon. C. W. G.
Howard, Lord
Howard, P. H.
Howick, Visct.
Jackson, J. D.
James, W.
Jocelyn, Visct.
Johnson, W. G.
Johnstone, Sir J.
Johnstone, H.
Jolliffe, Sir. W. G. H.
Jones, Capt.
Kelburne, Visct.
Kerrison, Sir E.
Kirk, P.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Knight, F. W.
Labouchere, rt. hn. H.
Langston, J. H.
Lascelles. hon. W. S.
Lawson, A.
Lefroy, A.
Legh, G. C.
Leicester, Earl of
Lindsay, H. H.
Lockhart, W.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. General
Macaulay, rt. hn. T. B.
Mackenzie, T.
Mackenzie, W. F.
M'Geachy, F. A.
Maher, V.
Mahon, Visct.
Mainwaring, T.
Mangles, R. D.
Manners, Lord C. S.
Marshall, W.
Marsham, Visct.
Martyn, C. C.
Marton, G.
Master, T. W. C.
Masterman, J.
Meynell, Capt.
Miles, W.
Mitcalfe, H.
Mitchell, T. A.
Morgan, O.
Morgan, C.
Morison, Gen.
Munday, E. M.
Murray, C. R. S.
Napier, Sir C.
Neville, R.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, A. S.
O'Brien, W. S.
Ossulston, Lord
Oswald, J.
Owen, Sir J.
Packe, C. W.
Pakington, J. S.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Praed, W. T.
Pringle, A.
Protheroe, E.
Pusey, P.
Rashleigh, W.
Reade, W. M.
Reid, Sir J. R.
Repton, G. W. J.
Rice, E. R.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Rushbrooke, Col.
Russell, Lord J.
Sandon, Visct.
Scott, hon. F.
Seymour, Lord
Shaw, rt. hon. F.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smith, A.
Smith, J. A.
Smith, rt. hon. R. V.
Smyth, Sir H.
Somerset, Lord G
Somerton, Visct.

Stanley, Lord
Stansfield, W. R. C.
Stanton, W. H.
Stewart, J.
Stuart, W. V.
Stuart, H.
Strutt, E.
Sturt, H. C.
Sutton, hon. H. M.
Tennent, J. E.
Thesiger, F.
Thornhill, G.
Tollemache, J.
Towneley, J.
Trench, Sir F. W.
Trevor, hon. G. R.
Trotter, J.
Turner, E.
Vane, Lord H.
Vere, Sir C. B.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Vivian, J. E.
Vivian, hon. Capt.
Waddington, H. S.
Wawn, J. T.
Welby, G. E.
Wemyss, Capt.
Wilshere, W.
Winnington, Sir T. E.
Wood, C.
Wood, Col. T.
Worsley, Lord
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.

TELLERS.

Baring, H. B.
Fremantle, Sir T. F.

Slave-Trade.] Mr. *S. Wortley* moved for certain returns relating to the system hitherto adopted for the suppression of the slave-trade on the western coast of Africa. He had been informed, that there was no objection to their production on the part of the Government.

Captain *Pechell* objected to the motion. The production of some of the returns connected with the number of vessels engaged on the coast of Africa, and the conduct of their officers could be considered only as an affront to the service of which he was a Member.

Sir *G. Cockburn* had not the slightest objection to give every information on the subject, as to the force and number of the ships. The more the public knew of every proceeding of the navy, the more they would be satisfied with their conduct, particularly on the coast of Africa. He was exceedingly glad the motion had been brought forward.

Mr. *S. Wortley* disclaimed in the strongest language he could use any intention of casting a slur on the navy. His object was to ascertain whether this country had adopted the best and most humane means for accomplishing the great object it had in view. He doubted whether the Government had supplied the navy with the means which were requisite. He had no motive whatever inconsistent with the honour of the service.

Viscount *Palmerston* declared, that both as regarded the naval service and the efforts of the late Government to suppress the slave-trade, the more the subject was inquired into, the better the case would stand. He was therefore quite prepared to concur with the hon. Gentleman in calling for any information that could bear upon the subject.

Motion agreed to.

Payment of Wages Committee.] Mr. *Ferrand* moved, that the following Gentlemen be nominated as Members of the select committee on the payment of wages:—

"Mr. Ferrand, Lord Ashley, Mr. Stuart Wortley, Mr. John Fielden, Viscount Jocelyn, Mr. Sharman Crawford, Mr. Henry Redhead Yorke, Mr. Baird, Mr. George William Wood, Earl of Hillsborough, Mr. Thomas Duncombe, Mr. Beckett, Mr. Charles Pelham Villiers, Sir John Hanmer, and Sir John Guest."

Mr. *Brotherton* complained, that there was not a Member connected with the manufacturing districts, connected with the committee. Whatever report the committee might make, constituted as it was, it could never give satisfaction.

Mr. *C. Buller* said, that as it was a matter of great importance, and as it was desirable to have a committee of some character,—he meant by that of some weight—he thought his best course would be to move the adjournment of the motion. He accordingly moved, that the motion be adjourned.

Mr. *Ferrand* said, that the hon. Member for Salford had complained that there was no Member on the committee connected with the manufacturing interest. Among the names he would find those of Mr. J. Fielden and Mr. G. W. Wood, who, he believed, was a partner in business with the hon. Member for Manchester. He begged further to state, that he had found great difficulty in inducing hon. Members to allow themselves to be nominated on the committee. He had applied to one of the hon. Members for Birmingham, and to the hon. Member for Finsbury (Mr. Wakley), but both had refused to sit on the committee. He had not named the hon. Member for Stockport (Mr. Cobden), because the hon. Member had published a communication which, in his opinion, was a strictly private one.

Mr. *Cobden* said, that there was again some misrepresentation on this point. He had told the hon. Member that he should treat everything as public which came from him in that House, and the publication of the communication alluded to, could not, therefore, form any just charge against him. If a suspicion of partisanship was to exclude him (Mr. Cobden) from the committee, what would be thought of the qualification of the hon. Gentleman opposite to sit on the same committee.

Mr. *Hume* called the attention of the Government to the manifest unfairness that a Gentleman who had made a charge against a whole body should sit upon the committee, whilst those who had come forward to defend that body against the charge, were to be excluded.

Sir *J. Graham* did not think it was a matter for the executive Government to take up. He should be sorry if the hon. Member for Stockport were excluded from the committee.

Mr. *Villiers* said, it was important that persons should be placed on the committee who represented places where it was charged the truck system was carried on.

Sir *J. Graham* suggested, that as it would be impossible the hon. Member for Tynemouth could attend the committee, the name of the hon. Member for Stockport be substituted.

Viscount *Palmerston* said, that some one connected with the Government ought to be appointed on the committee.

Mr. *Wakley* trusted the suggestion of the noble Lord would be acted upon. He recommended to the especial notice of the Member for Stockport the system of truck among farmers. It was quite fair, that this should be looked after also.

Mr. *Brotherton* disclaimed any wish to be on the committee, but thought that some one connected with manufactures ought to be placed thereon, so as to be placed in a position to ascertain the truth of the charges that had been made. The hon. Member then alluded to the abuse that had been lavished upon him, because on a former occasion he had said to the hon. Member for Knaresborough, that the hon. Member for Stockport never had a cotton-mill, while at the same time he (Mr. Brotherton) knew the hon. Gentleman was the owner of print-works. Observations had been made as if he (Mr. Brotherton) had been guilty of a mental reservation on the point; but the fact was, that he well knew that the hon. Member for Knaresborough was quite aware of the distinction between the two, for the hon. Member's own father had a cotton-mill, and worked the children there night and day.

Sir *B. Hall* said, that the riots which had taken place in Wales had been attributed mainly to the truck system there, and he thought the committee ought to be postponed, with a view to some Gentlemen connected with Wales being placed upon it.

House adjourned.

HOUSE OF COMMONS,

Wednesday, May 4, 1842.

MINUTES.] BILLS. *Public.*—1°· Manslaughter.

2°· Salmon Fisheries (Scotland).

Reported.—Public Houses; Punishment of Death (Ireland); Victoria Park; Knightsbridge and Kensington Openings.

Private.—1°· Metropolitan Patent Wood Paving Company (No. 2).

Reported.—Great North of England Railway; Bristol Floating Dock; Witt's Estate; Bristol and Gloucester Railway.

3°· and passed:—Kington Roads; Greenock Harbour; Ellesmere and Chester Canal; Northern Union (Newcastle and Darlington Junction) Railway.

PETITIONS PRESENTED. From Lichfield, for Equality of Civil Rights for Roman Catholics.—From Neath, for Improvement of Anst Ferry.

NOTTINGHAM ELECTION.] Mr. *Hayter* reported from the select committee appointed to try and determine the merits of the petition complaining of an undue return for the borough of Nottingham, that Sir John Cam Hobhouse and George G. Larpent, Esq., were duly elected to serve as burgesses in this present Parliament for the said borough.

THETFORD ELECTION.] Mr. *Pakington* reported from the select committee appointed to try and determine the merits of the petition complaining of an undue return for the borough of Thetford, that they had determined, that the Earl of Euston was not duly elected, and ought not to have been returned to serve in Parliament as a burgess for the said borough, and that Sir James Flower was duly elected.

IPSWICH ELECTION.] Mr. *Pakington* moved, that John Thurston, having in his petition to the House, expressed contrition for his offence, be discharged from her Majesty's gaol of Newgate.

Motion agreed to.

SPECIAL PETTY SESSIONS.] Mr. *G. Bankes* moved the second reading of the Special Petty Sessions Bill. He believed that the principle of the bill would not be contested. He trusted that those hon.

Members who had taken the trouble to look into its provisions, would see that it proposed to remedy an evil which was very generally acknowledged as one of the unhappy causes of the increase of crime in this country. The evil he alluded to, was the necessity which magistrates were at present under of sending persons accused of petty offences to the county prisons, to await their trial at the ensuing quarter sessions or at the assizes. Out of this state of the law many evils sprung. In the first place, the accused parties were exposed to the contaminating influence arising from their associating with greate criminals than themselves. Minor offenders were often very contrite on being apprehended, and would plead guilty, if the magistrates had the power to dispose summarily of the charges against them. But, as the law now stood, no such power existed. Another evil was the compelling prosecutors and witnesses to travel many miles to the assize town or the quarter sessions, to attend the trial of a prisoner, who perhaps had committed a very petty theft. The loss of time and the expense thus incurred was of serious importance to poor people, who would much rather sustain the first injury. The trouble to those who served on juries also was extremely vexatious. Chief Justice Tindal, at the last assizes held at Aylesbury, in his charge to the grand jury, adverted to this point, and expressed his regret that the magistrates had no option whatever, but were bound however inconsiderable the value of the property might be, to commit the offender. The expense which the present state of the law imposed on the counties was very great. At the summer assizes for the county of Dorset, in 1841, there were sixty criminal causes tried, and each cause, however small or trifling the offence, cost the county upwards of 16*l.* These were the evils he proposed to remedy, and the mode by which he sought to do so, was to give to magistrates in petty sessions, summary power to inflict punishment on all offenders who were disposed to plead guilty to the offences charged against them. According to his view, this, so far from working injuriously, would produce great benefit, by very materially diminishing all the evils he had enumerated.

Sir *J. Graham* assured the hon. and learned Gentleman that, entertaining as he did, great respect for his legal knowledge and experience, he was disposed to view this measure with a strong prejudice in its favour, yet he was bound to state that the best consideration he had been able to give the subject, had led him to the conclusion that it was his duty on principle to oppose it. He was one of those who were most anxious to sustain the jurisdiction of the magistracy in sessions assembled. He thought that all the advantages of the present system would be lost under the proposed measure. The authority to be given to the two magistrates in petty sessions was not to depend upon the nature of the crime committed, but entirely upon the accident of the party accused pleading guilty. The tendency of the measure was to dispense with trial by jury; the effect of it would be, if adopted, that a large number of offences would be disposed of in petty sessions, in the absence of barristers and of legal advisers, and of all those other checks which now made the administration of justice in this country satisfactory to the people. With respect to the saving of expense, he thought, that where the county funds were administered under the revision of a good bench of magistrates, and the taxation of costs was performed by an intelligent clerk of the peace, the chances were, that the expenses would not be greater by prisoners being tried before the sessions, than if they were summarily disposed of in petty sessions, which would want all those checks on the expenditure of the public money. For these reasons he felt bound to oppose the second reading of the bill.

Mr. *Tatton Egerton* was pleased to hear what had fallen from the right hon. Baronet. That some measure was necessary to diminish the expenses attending prosecutions must be admitted, but that measure ought to be brought forward on the authority of the Government. He disapproved of giving a summary power over a great variety of offences that would be referred to magistrates by this measure. It would tend to render the law of punishment very uncertain. At present, the whole bench of magistrates sat together in quarter sessions, and then a uniformity in the adjudication of punishment was preserved, but if these petty sessions were to be scattered all over the country, different opinions would be entertained as to the nature of offences, and different punishments would be awarded for the same offence.

Mr. *Bankes*, in reply, said, that he agreed with the hon. and gallant Member, that such a measure as this should be taken up by Government, and it was not till he had understood from the right hon. Baronet, that there was no present intention to bring forward this matter, that he had taken upon himself the introduction of this bill. After what had passed, he should not trouble the House to divide.

Motion negatived.

Bill lost.

Church Patronage (Scotland).] On the motion that the Order of the Day for the second reading of the Church Patronage (Scotland) Bill be read,

Sir *James Graham* said, the House would bear in mind, that when his hon. Friend, the Member for Argyleshire (Mr. Campbell), moved for leave to bring in the bill which now stood for a second reading, he stated, on the part of her Majesty's Government, the deep pain which was felt by her Majesty's Ministers on account of the present divisions which unhappily distracted the Church of Scotland. It would be needless for him to repeat what he then stated as to the deep sense entertained by her Majesty's Government of the vast usefulness of that national establishment, and the regret which they sincerely felt, that every effort which had yet been made to arrest the progress of those divisions, had proved ineffectual. It had been his duty on the former occasion to state to the House on the part of her Majesty's Government, that at that moment they had no reason to form any expectation, that any legislative measure, consistent with what appeared to them to be sound principles, would receive so much acceptance in Scotland as to afford them a fair prospect of settling the great question now at issue. That question had not been overlooked by her Majesty's present advisers, before they were called to the council of their Sovereign, and efforts were made by one of the principal Members of the present Administration (the Earl of Aberdeen), by the introduction of a measure to the other House of Parliament, to contribute to the settlement of this question. That measure was not supported by her Majesty's late Ministers; and there appearing to be no such prospect of success as to justify his noble Friend in pushing forward the further progress of his measure, and his noble Friend not feeling the responsibility to rest exclusively with himself, he thought it more prudent at that time to withdraw the bill he had introduced. Her Majesty's present servants almost immediately after their accession to office, directed their attention to this subject as one of paramount importance. They used every endeavour consistently with their sense of duty, to ascertain whether, upon a principle which they could support, a legislative measure would be so countenanced by the least violent portions of the contending parties in Scotland, as would justify them in the expectation, that what they were disposed to bring forward as a measure of concord and peace, would be so received in that country to which that legislation was to apply. He was bound to say, that the result of what took place at that time, did not justify them in entertaining any such hope. So matters stood until the hon. Member for Argyleshire moved for leave to bring in the bill now before the House. He had, however, now to state, that since that period, from various quarters in Scotland, entitled to the highest respect, and from parties acting with what he might term the popular party in the Church of Scotland, information had reached her Majesty's Government which led them to believe, that an opportunity of settling this great question was now afforded, from the temper of the parties to which he had referred, such as had not at any former period presented itself, and of which opportunity her Majesty's Ministers were most anxious to avail themselves. In consequence of these communications he had to state to his hon. Friend and to the House, that her Majesty's Government had resumed the discussion of the question with the parties principally interested in it; and without entertaining too sanguine an expectation, or wishing to raise on the part of the House any such expectation, he felt justified in saying that he did not despair that the result of these communications might lead to a favourable issue. Of this, at all events, he was sure, that if this matter was to be adjusted by a measure of harmony and peace, that measure must be introduced on the responsibility of the executive Government. The principles upon which her Majesty's Government were alone disposed to settle this question, he could state very briefly. They were first to defend the civil right of the patron, with respect to his right of presentation; secondly, to defend and to assure the indisputable right of the parishioners who were heritors to make objections to that presentation; and, thirdly, to maintain what he believed to be the right and authority of the spiritual courts to decide on those objections. These were the great principles on which her Majesty's Ministers were disposed to rest the settlement of this question; and he had every reason to believe that upon these principles a settlement might be attained. He was quite sure that his hon. Friend was desirous of effecting a settlement on terms which should be satisfactory to the great body of the people, and that he would be most anxious not to seek any settlement which might thwart such an arrangement, and he had to tell his hon. Friend that it was his deliberate conviction, that pressing his bill at this juncture would be very prejudicial to any arrangement of that kind. He did not ask his hon. Friend for any indefinite postponement of his bill, but he did ask him under the circumstances, and with reference to the peace of the people of Scotland, and with reference to the hope of adjusting this great question, and with reference also to the divisions in that church to which his hon. Friend was so much attached, and which divisions were a shock to the peace, and materially injurious to the prosperity and welfare of the people whom he represented;—on these grounds he did ask his hon. Friend to postpone the Order of the Day for five or six weeks. He believed that if it should be possible to arrive at an arrangement which should appear so satisfactory to her Majesty's Government, as to justify them in bringing forward any measure upon the subject, the time he had mentioned would give them an opportunity to do so, but if, unhappily, they should fail in their endeavour, then he would state frankly to his hon. Friend, that it would be quite open to him to proceed with his measure.

Mr. *Campbell* need hardly state to the House that if it had not been for what had been just stated on the part of the Government, he should not have thought of postponing his bill. But when the Government told him that they now had a measure to propose, he thought he should best consult the interest of the church of Scotland in giving way till he saw what that measure was. He would not withdraw his measure, but simply postpone it. He reserved to himself the right of discussing that measure, and if it were a measure which the Church of Scotland ought not to accept he would oppose it. With that understanding he had no hesitation in postponing the second reading of the bill for six weeks.

Mr. *Fox Maule* would make a few observations on what had fallen from the right hon. Gentleman and the hon. Gentleman who had introduced this bill, and who had made it the property of the House. He was never more surprised in his life at any course taken than at that taken by the hon. Gentleman who introduced this measure, and more especially after the explanation which had been given by the Secretary of State for the Home Department of the nature of the measure which Government had at last made up their minds to introduce. For as nearly as he could gather from the words of the right hon. Baronet, the measure which the Government made up their minds to introduce, was nothing more or less than the measure of Lord Aberdeen, upon which the opinion of the people and of the church of Scotland had been unequivocally expressed. What was the course which the Government had taken in reference to this question during the present Session? When he asked the right hon. Gentleman at the head of her Majesty's Government, whether it were his intention to bring forward any measure upon the subject, the right hon. Gentleman gave an answer which left it open to him to pursue any course he pleased. But when his hon. Friend the Member for Elgin (Sir A. L. Hay) submitted his proposal which brought the whole question of the present state of the church of Scotland before the House, the Government stated distinctly that they were not prepared to bring in any measure themselves. They did more than that; for in answer to a charge made against them for not introducing a measure, they turned round and asked him and the hon. Gentleman who had introduced this bill, why they did not bring forward a measure of their own, and take the opinion of the House on it. Now that a measure had been brought before the House, not calculated entirely to satisfy the people of Scotland, but affording a basis which might be amended in committee, the Government comes forward to ask the hon. Member for Argyleshire to postpone it for six weeks, because, forsooth, Government had resolved to introduce a bill which, as far as could be understood from what the right hon. Baronet (Sir J. Graham) had said, was exactly that which had been already repudiated by the people of Scotland in a former Session. He could tell the right hon. Baronet most positively that the majority of the church of Scotland, as represented by the non-intrusion committee, will never give their sanction to any such measure: the people of Scotland would never give their assent to it, and if the Ministers imagined that they could settle the question on any such basis, they would arrive at a most precipitate conclusion in its worst form for the final arrangement of the great subject. He had come down to the House assured, both privately and publicly, that it was intended that the measure should go through its second reading this night: the hon. Member for Argyleshire had even sent a circular that very morning, inviting him to be in his place on this occasion; but since then some negociation had been carried on; and the consequence was that the people of Scotland were to be deprived of the opportunity of seeing how the House of Commons would deal with the principle of a measure to which all were looking with the most intense anxiety. Having made these remarks on the question regarding the Order of the Day, he should reserve to himself the right of saying more, if he thought fit, on the question for the postponement of the second reading of the bill.

The Order of the Day read.

Mr. *Campbell* moved that the bill be read a second time on this day six weeks.

Mr. *F. Maule* was quite aware that he was taking an unusual course when he moved that, without further delay, the bill be now read a second time; but he apprehended that the circumstances of the case justified such a proceeding. The first of those circumstances was the deep anxiety with which not only the church of Scotland, but the whole people of Scotland, were looking forward to the decision of the House of Commons on the principle of the measure. This was the earliest occasion on which that principle had been fairly brought under consideration. He gave the hon. Member for Argyleshire full credit for the best intentions, but unfortunately those intentions had been overruled and frustrated. It was high time that the principle of the measure should be adopted or rejected, and everybody was aware that the church courts of Scotland were about to assemble; it would be much more expedient, and even fair, that those courts should meet after the principle had been either recognised or repudiated by the House, than that they should only be informed that as far as the principle was concerned nothing had been done by the House of Commons. The course taken by ministers was this—first, they induced the hon. Member to suspend his bill for five or six weeks; and next, they reserved to themselves the right, without making any absolute promise, of introducing another measure if they thought fit, and of negociating upon other terms for the settlement of this important question. The right hon. Baronet had said that this was one of the earliest topics to which the present Government had directed its attention on coming into office. He had no doubt that it was anxious to settle the question, but only on a basis to which the church and the people of Scotland would never submit. When the subject was formerly before the House, an hon. Baronet, not now a Member, had introduced a clause admitting the principle of non-intrusion in its mildest possible form—a form which had almost entrapped the right hon. Baronet into acquiescence. Afterwards the principle was discovered, and then the question was not to be settled on any such terms. Unless, then, the right hon. Baronet had seen reason to retract his opinion—unless he had obtained some better information, those would but deceive themselves who fancied that an acceptable or satisfactory measure would be produced at the end of six weeks, six months, or even six years. The hon. Member for Argyleshire might depend upon it that at the end of the delay now sought nothing would be done, while the difficulties would have been increased by the unnecessary suspense. He would not go into the main question at the present moment, but he intended to take a division upon the proposed postponement, that the people of Scotland might see who were the real friends of the church, and who wished to defeat their hopes by the not very novel expedient of delay. He moved that the bill be now read a second time.

Mr. *Plumptre* was in favour of postponement, in order to give Ministers time to prepare their measure.

Mr. *Campbell* said that the course taken by the right hon. Member for Perth was most unusual. Though he must thank the right hon. Gentleman for the credit the right hon. Gentleman had given him for good intentions, he must deny that his better judgment had been overruled by his friends. At all events such a charge came ill from the right hon. Gentleman who had done nothing for the settlement of the question while in office, and was as little ready to do anything now. The right hon. Gentleman now complained of delay, but had he complained of it when the Administration, of which he had been a Member, had refused to do anything? All that was now asked was a delay for six weeks. [Mr. *F. Maule:* The bill is virtually withdrawn.] He denied that it was withdrawn; it was only deferred. The right hon. Member had taken the liberty of supposing that the measure of Government would only be a re-production of Lord Aberdeen's bill. What right had he to assume any such thing? It was a mere act of justice to wait until the House should have seen what course the Government would take.

Mr. *F. Maule* was ready to withdraw his motion for the second reading of the bill, if the right hon. Baronet would only say, that the projected measure was anything more than a renewal of Lord Aberdeen's bill.

Mr. *Cochrane* had not come down to the House expecting that a question of so much moment would be discussed. From all that had passed, it was fair to infer that the intended measure would not go further than Lord Aberdeen's bill, and to postpone the present motion would hold out fallacious hopes to the people of Scotland. He should therefore vote for the second reading now.

Mr. *P. Stewart* adverted to the awkward position in which the House was placed by the proposal to adjourn the question for six weeks. Up to the present moment, he had believed that the hon. Member for Argyleshire was a sincere friend to the church of Scotland; but he had shown a very different spirit, by giving his consent to the withdrawal of the bill upon the Table. [Mr. *Campbell:* It is not withdrawn — only postponed.] He contended that that was a distinction without a difference. Postponing the bill for six weeks amounted in fact to a withdrawal of the measure. The General Assembly of the Church of Scotland was to meet, as the hon. Member, a good Presbyterian, must know, on the 18th instant, and by the intended delay, in what perplexing and insulting ignorance of the intentions of the House would the people of Scotland be left, by the course now recommended! Neither did the hon. Member know what plan was to be produced by Government, excepting that the right hon. Baronet had led the House to believe that it would be nothing better than that which the church and people of Scotland had already repudiated. The right hon. Baronet had said that he would preserve the civil right of patronage: so did the bill upon the Table. The right hon. Gentleman had further said that he would give the people a right of objection: so did the bill upon the Table. Then came that part of the measure against which the General Assembly had voted by an overwhelming majority—that the presbytery should have the power of weighing the value of the objections, and of deciding judicially accordingly. That to all intents and purposes was Lord Aberdeen's proposal. The speech of the right hon. Baronet was enough of itself to destroy the hopes of every good Presbyterian, and it would be found after the next meeting of the General Assembly, how much had been this night done to prevent the final and amicable settlement of the pending dispute. Scotland had a right to complain of the mode in which a subject of vital interest to her was treated. The friends of the measure had come down to the House prepared to support it. The great principle was involved in it, and it was so reasonable that no Government in its senses would dare to refuse its assent to it. Up to last night the hon. Member for Argyleshire had nailed his colours to the mast, and now at the eleventh hour he was deluded into a consent that the subject should be deferred for six weeks. He could not have a moment's hesitation in dividing with his right hon. Friend; it would, of course, amount to no decision upon the main question, but it would afford the means of solemnly protesting against the delay required by the right hon. Baronet. Let the consequences be what they might, the responsibility must rest upon those who had disappointed the reasonable hopes of the people of Scotland.

Mr. *Campbell* said, that his colours were nailed to the mast, and not only last night but until the middle of this day, when he was requested, on the grounds stated, to consent to the delay he had been determined to bring on the measure to-day.

Mr. *Wallace* observed that, as far as he could understand the wishes of the people of Scotland, they were that this bill should be read a second time without delay. It did not go far enough, but his hope was to amend it in committee, and what the people of Scotland wanted was a law to enable them to elect their own parsons—nothing in the shape of *veto*, but the plain power of electing their own parsons. That was the end at which he would aim, and that end, without faltering or tergiversation, he would do his best to attain. No half-measure would do, but he was anxious that the measure before the House should go through the proposed stage, in order that hereafter it might be rendered more acceptable.

Mr. *Ellice*, junior, believed the motives of the hon. Member for Argyleshire to be sincere, but he could not concur with him that anything was likely to be gained by the delay required. He did not approve of the details of the bill, but he thought that it ought to be read a second time, in order that the details might be improved.

Sir. *R. Peel* said, that within his experience the almost invariable course had been to allow a Member who undertook legislation upon any particular subject, to fix his own day and manage his own bill. In this case, the promoter of the measure was a private individual, unconnected with any public department, and influenced solely by a desire to promote the permanent interests of the church of Scotland. He scarcely recollected an instance in which, under such circumstances, a Member was not allowed, if he thought fit, to defer the stage of his bill. Above all, he was surprised that the right hon. Gentleman opposite (Mr. F. Maule) should be so anxious to hasten on the discussion. That right hon. Gentleman was himself a Scotchman, and had been three years in an office which might be said to be connected with the Church of Scotland; yet during those three years he had made no attempt at legislation. He had then shown no such hasty anxiety to have the question settled. He had remained perfectly tranquil at his post, and had maintained a most acceptable and judicious silence. Now, however, because a delay of only six weeks was required, the right hon. Gentleman was at once up in arms, and insisted that the great question was most injuriously and dangerously deferred. The measure on a sudden became an admirable scheme for the adjustment of the dispute, and the hon. Member for Renfrewshire (Mr. P. Stewart) was against the postponement of it for a single day. Why, had not the hon. Member brought forward a measure himself? [Mr. *P. Stewart:* One was introduced into the House of Lords.] But the hon. Member might himself have originated a bill. [Mr. *P. Stewart:* I was not then in Parliament.] Certain it was that the measure brought into the House of Lords did not meet with the support of the late Government. However, he was far from wishing to introduce anything like party asperity into a question of this serious and important kind, connected as it was with religion, and so highly interesting to many meritorious and conscientious persons. His right hon. Friend (Sir J. Graham) had told the simple truth; when out of office an attempt had been made to effect a settlement of the important matter in difference; that attempt was resisted, no doubt from the best motives, and from a firm belief that the proposed adjustment would not be satisfactory. It was, therefore, abandoned; but, on the accession of the present Ministers to office, one of the first points to which they addressed themselves was that now before the House. They had no wish but to terminate and reconcile the unfortunate differences which were diminishing the influence of the clergy in Scotland; but they feared that a fruitless and ineffectual endeavour would only aggravate the evil, and on that ground the intention was abandoned. The single motive for reviving it was this—that Ministers had received from Scotland, and from persons on both sides of the question, an intimation that if Government would now undertake the settlement of the question there was at least a chance of success. Upon these voluntary communications Ministers had acted, they had not been menaced nor terrified into any proceeding, but they had felt it consistent with their duty to renew the attempt. They were willing to take any steps rather than close the door against a satisfactory arrangement, and they only asked for a reasonable delay to enable them to consider of their course, and prepare their measures. They did not ask the hon. Member for Argyleshire to make any concession, but merely appealed to him, after the declaration made by Government in the House of Commons, whether it would not best promote his own views to grant the time required. Ministers, he assured the House, had no motive but to restore and promote peace and harmony, to maintain the best interests of religion, and to do nothing that would warrant or sanction the novel and unparalleled course now attempted to be taken. The hon. Member for Argyleshire had only undertaken the task of legislation from his deep anxiety for the welfare of the Church of Scotland, and he conscientiously believed that that welfare would be best promoted by giving way upon the present occasion, and consenting to a delay of six weeks. Within that period Ministers would inform the House, and the hon. Member, whether they saw a chance that by interfering they should be able to accomplish their wishes. He had not said thus much without feeling the deepest interest respecting the Church Establishment of Scotland, and the utmost regret at the condition in which it was at present placed; nor without being convinced that one of the proudest acts of any public man would be the settlement of the question upon equitable principles—principles which would preserve the just rights of the people, and maintain also the just rights of the Church. If there were any hope that these contests, in which civil and religious rights were confounded, and civil and religious jurisdictions confused, would be terminated, surely it was not too much to ask that a measure, which even the opposite side did not approve, should be delayed for so short a period. He hoped that the House would adopt no precipitate decision, and that while Government was attempting, with the aid of moderate men on both sides, to effect an amicable settlement, nothing would be done which might have the effect of deferring, if not of defeating, so happy a consummation.

Mr. *Rutherfurd* objected, under the circumstances, to the postponement of the discussion on this bill, and he believed that a postponement, instead of advancing a settlement of the question, would greatly embarrass and encumber it. This was not the first time that legislation had been proposed, and he could not forget that the right hon. Baronet (Sir Robert Peel) had, upon a former occasion, said, that he never would consent to a settlement, unless upon the principle of a bill introduced into the other House by Lord Aberdeen. If the right hon. Baronet (Sir J. Graham) had expressed any hope that the results of the negotiations would be satisfactory, he would not have opposed the postponement of the bill: but they knew who were the organs in this matter of the clergy of Scotland, and of the members of the Church of Scotland; and he believed that the bill of Lord Aberdeen never would settle the question. If they legislated on the principle of that bill they would make a schism in the church of Scotland which would shake the establishment to the foundation. The bill of the hon. Member for Argyle went beyond the bill of Lord Aberdeen, but it did not go far enough, and by any middle measure he despaired of effecting any good. They were asked to postpone this bill when the General Assembly was about to meet in three weeks, and it was a matter of immense importance that they should know, and that the people of Scotland should know, whether the Parliament of this country would give its sanction to the principle of the particular measure proposed. It was said that the opposition to the postponement was against the ordinary usage of the House; but no one had so little right to complain of his right hon. Friend (Mr. F. Maule) as the hon. Gentleman (Mr. Campbell, for he considered the hon. Member pledged, as much as any one could be pledged by conversation, to persevere in the discussion of his measure. After hearing the statement of the right hon. Baronet (Sir Robert Peel), that he was not prepared to go one step beyond the bill of Lord Aberdeen, having heard when the right hon. Baronet (Sir James Graham) had that night stated, and not expecting that any measure would go beyond that of the hon. Member for Argyle, he was not prepared to consent to the present postponement.

Mr. *Hume*, having lately visited Scotland, knew the desire to have this question brought to a settlement; yet, as he could not recollect a single instance in which a postponement had been refused by the House for the purpose of giving time to the Government to introduce a bill, he would not now press for the second reading.

Captain *Wemyss* intended to follow the course of the hon. Member for Montrose. He agreed with the right hon. Gentleman at the head of the Government that this was a question which ought to be settled by the Government, and not by those who were irresponsible. He could not expect, however, that the Government bill would be satisfactory to the people of Scotland. He had observed the mode in which the right hon. Baronet had exercised the church patronage in Scotland since he had been in office; and he did not think that the people of Scotland could expect much from the Government, if they took the presentation to Kettle and other parishes as an example.

The House divided on the question that the word now be inserted:—Ayes 48; Noes 131;—Majority 83.

List of the AYES.

Acheson, Visct.
Bannerman, A.
Barnard, E. G.
Berkeley, hon. C.
Brotherton, J.
Cobden, R.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Dalrymple, Capt.
Dawson, hon. T. V.
Duff, J.
Duncan, G.
Ellis, E.
Evans, W.
Ferguson, Col.
Fitzroy, Lord C.
Gore, hon. R.
Hastie, A.
Hay, Sir A. L.
Hill, Lord M.
Howard, hon. E.G.G.
M'Taggart, Sir J.
Marjoribanks, S.
Morris, D.
Morrison, J.
Muntz, G. F.
Murray, A.
O'Connell, M. J.
Oswald, J.
Pechell, Capt.
Philips, M.
Powell, C.
Rawdon, Col.
Ricardo, J. L.
Rundle, J.
Rutherfurd, A.
Scholefield, J.
Somers, J. P.
Somerville, Sir W. M.
Stuart, Lord J.
Tancred, H. W.
Thornely, T.
Traill, G.
Vivian, hon. Capt.
Wallace, R.
Wawn, J. T.
Westenra, hon. H R.

TELLERS.
Maule, hon. F.
Stewart, P. M.

List of the NOES.

Acton, Col.
Allix, J. P.
Arbuthnott, hon. H.
Arkwright, G.
Astell, W.
Bailey, J.
Baillie, H. J.
Baird, W.
Bankes, G.
Baring, hon. W. B.
Baring, H. B.
Beckett, W.
Blackburne, J. I.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bramston, T. W.
Broadwood, H.
Bruce, Lord E.
Bruce, C. L. C.
Buckley, E.
Buller, C.
Carnegie, hon. Capt.
Chelsea, Visct.
Clayton, R. R.
Clerk, Sir G.
Conolly, Col.
Corry, rt. hon. H.
Cripps, W.
Darby, G.
Denison, E. B.
Douglas, Sir H.
Douglas, Sir C. E.
Drummond, H. H.
Duncombe, hon. A.
Du Pre, C. G.
Egerton, W. T.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Ferguson, Sir R. A.
Feilden, W.
Ferrand, W. B.
Fitzroy, hon. H.
Flower, Sir J.
Ffolliott, J.
Forbes, W.
Fremantle, Sir T.
Fuller, A. E.
Gladstone, rt.hn.W.E.
Gordon, hn. Capt.
Gordon, Lord F.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Greenall, P.
Greene, T.
Grogan, E.
Halford, H.
Hamilton, J. H.
Hamilton, W. J.
Hamilton, Lord C.
Hanmer, Sir J.
Harcourt, G. G.
Hardy, J.
Hayes, Sir E.
Hepburn, Sir T. B.
Herbert, hon. S.
Hodgson, F.
Hodgson, R.
Hume, J.
Jackson, J. D.
Johnson, W. G.
Johnston, A.
Johnstone, Sir J.
Johnstone, H.
Jones, Capt.
Kelburne, Visct.
Knatchbull, rt. hon. Sir E.
Knight, F. W.
Lindsay, H. H.
Lockhart, W.
Lowther, hon. Col.
Lyall, G.
Mackenzie, T.
Mackenzie, W. F.
M'Geachy, F. A.
Manners, Lord J.
March, Earl of
Master, T. W. C.
Masterman, J.
Milnes, R. M.
Mundy, E. M.
Neville, R.
Newry, Visct.
Nicholl, rt. hon. J.
O'Brien, A. S.
Packe, C. W.
Pakington, J. S.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Pollington, Visct.
Pringle, A.
Richards, R.
Round, C. G.
Rous, hon. Capt.
Rushbrooke, Col.
Sanderson, R.
Scarlett, hon. R. C.
Scott, hon. F.
Sheppard, T.
Shirley, E. P.
Somerset, Lord G.
Stanley, Lord
Stanley, E.
Sutton, hon. H M.
Tennent, J. E.
Thornhill, G.
Tollemache, J.
Trotter, J.
Turner, E.
Vere, Sir C. B.
Verner, Col.
Vernon, G. H.
Wall, C. B.
Wemyss, Capt.
Wodehouse, E.
Wortley, hn. J. S.
Young, J.
Young, Sir W.

TELLERS.
Campbell, A.
Plumptre, J. P.

Bill to be read a second time on Wednesday, June 15th.

PUBLIC HOUSES.] Captain *Rous* moved the re-committal of the Public Houses Bill *pro formâ*, and said that the sense of the House could be taken upon it on its third reading.

Captain *Pechell* said, that this bill was before the House for the last six weeks, and various provisions had been introduced into it which were contrary to the title of the bill. He wished to know what the hon. and gallant Captain proposed to do by this motion of a re-committal *pro formâ?* He did not like these *pro formâ* motions. He wished to know whether the hon. and gallant Captain intended to persist in bringing forward that clause which related to steam-vessels upon the river Thames? He hoped that that clause would be struck out, but if it should be otherwise, he would give it every opposition.

Captain *Rous* said, with respect to the question, of the hon. and gallant Member he could only say sufficient for the day was the evil thereof. On the third reading, the matter could be fully discussed.

Bill went through committee *pro formâ*, and was ordered to be printed.

PAYMENT OF WAGES COMMITTEE.] On the Order of the Day for resuming the adjourned debate on the nomination of the committee respecting the payment of wages,

Mr. *C. Buller* said, the committee nominated on this subject by the hon. Member for Knaresborough (Mr. Ferrand) was composed almost entirely of gentlemen who embraced the same views as the hon. Member. The hon. Member (Mr. Ferrand) had dealt very fairly in selecting almost an equal number of gentlemen from each side of the House: but he had contrived to confine his choice almost entirely to gentlemen who supported his opinions on this question. He thought that a committee so constituted was not very likely to conduct an inquiry with fairness towards those whose conduct was impugned. His opinion was, that as the Government had acceded to the appointment of this committee, they ought to consider themselves in some measure responsible for the manner of forming it. The inquiry to be conducted by this committee was of a most important nature, and yet not one gentleman connected with the Government was nominated on it to protect the interests of the public. This was not the fault of the hon. Member for Knaresborough, but of the Government, whose duty it was, if they acceded to the inquiry, to see that some gentlemen connected with them was placed on the committee. He thought great mischief might result from the careless appointment of a committee of this nature. Such committees were generally attended only by persons who supported particular views, and consequently a mass ef *ex parte* evidence, frequently of a most objectionable character, was collected. He did not intend to propose any alteration in the constitution of the committee, for he thought that was the duty of the Government. The object of the inquiry seemed to be to ascertain the extent to which a particular law had been violated. [Sir *J. Graham*: The inquiry is as to the operation of the law.] It seemed to him the object of the inquiry was to ascertain whether there had not been a systematic violation of the law. He repeated that he considered it the duty of the Government to see that a committee appointed for such a purpose was fairly and impartially constituted.

Sir *J. Graham* had stated last night, that he did not entertain any very sanguine expectations that a beneficial result would be attained by the appointment of this committee. It was notorious that, in many cases, the law had been violated; but he considered this was rather a subject for legislation than for inquiry, and he thought no legislative interference could effectually suppress the practice of which the hon. Member for Knaresborough complained. He had great doubts whether the truck system—the partial payment of wages in goods—was not frequently advantageous to the working classes. He did not, on the part of Government, desire such an inquiry as that proposed by the hon. Member for Knaresborough; he did not anticipate any injurious consequences from such an investigation, but he considered it would lead to no satisfactory result. He would propose, that one of the Under-Secretaries of State for the Home Department should be placed on the committee, in addition to the Gentlemen already nominated; and that in the place of the hon. Member for Kendal (Mr. G. Wood) the hon. Member for Stockport (Mr. Cobden) should be added.

Mr. *Muntz* said, an application had been made to him to serve on this committee, and he had declined. He was convinced that no satisfactory result would be obtained by the inquiry. It was undoubtedly true that the law on this subject was now evaded; but that would still be the case, whatever laws might be made.

Mr. *R. Yorke* expressed his concurrence in the sentiments of the hon. Member for Birmingham (Mr. Muntz).

Mr. *C. Buller* said, the proposal of the right hon. Baronet (Sir J. Graham) would not remove his objections to the motion.

Mr. *Hardy* thought that no manufacturer, nor any person employing a large number of workmen, should be placed on a committee of this nature. He considered that if the committee was composed in whole or in part of manufacturers, great dissatisfaction would be occasioned among the working classes.

Dr. *Bowring* said, the stringency of the law on this subject frequently led to its evasion. He thought the establishment of a shop in connexion with extensive manufactories was frequently beneficial to the workpeople, and was so regarded by them.

Mr. *Ferrand* said, hon. Gentlemen on the opposite side of the House had, in several cases, violated the engagements he understood them to have made when he first brought forward this question. He had applied to the hon. Member for Finsbury, and the hon. Member for Paisley, requesting them to serve on this committee, and they had declined to do so. It was his wish to constitute the committee as impartially as possible. He had mentioned to several hon. Gentlemen on that side of the House that it was his intention to propose that the hon. Member for Dorsetshire (Lord Ashley) should preside over the committee; for nothing would induce him to take that office, lest he should be accused of partiality. The hon. Member for Stockport (Mr. Cobden) had made a personal attack out of the House upon a gentleman who had favoured him with information on this subject; and that gentleman had, in consequence, declined to furnish him with further information. The Anti-Corn-law League, and the newspapers in that interest, had given publicity to the name of the gentleman to whom he referred; and he was prevented from receiving the further assistance of that gentleman in obtaining evidence on this subject. He should not be behaving handsomely to those who had consented to act on this committee if he had not consented to have the names of those withdrawn who objected to act on it.

Mr. *Brotherton* had the authority of the hon. Member for Kendal for stating that he had not been consulted as to whether he would allow his name to be placed on the committee, and that he certainly should not act upon it.

Mr. *Ferrand* said, he had given the usual notice that Sir B. Hall should be substituted for Mr. Wood.

Mr. *Cobden* denied that he had been guilty of any breach of confidence in communicating the name of the writer of the letter read by Mr. Ferrand in the House, and afterwards communicated to him by Mr. Ferrand.

Question put, that Mr. Ferrand be one of the committee.

Mr. *Borthwick* said, if any of the names were objected to, and the House came to a division, it was quite clear, from the attendance in the House, what must be the result. He moved that the debate be adjourned.

Debate adjourned.

House adjourned.

HOUSE OF COMMONS,

Thursday, May 5, 1842.

MINUTES.] BILLS. *Public.*—2°. British Possessions Abroad.

3°. and passed:—Dublin Police; Punishment of Death (Ireland); Victoria Park; Knightsbridge and Kensington Openings.

Private.—1°. Bates's Naturalization.

Reported.—Dundee and Arbroath Railway; Mieville's Divorce.

3°. and passed:—Bristol and Gloucester Railway; Equitable Gas Company; Bristol Floating Dock.

PETITIONS PRESENTED. By Mr. Busfeild, Mr. Hardy, and Mr. Ferrand, from Great Horton, Bradford (York), and Halifax, for Limiting the hours of Labour of Young Persons in Factories.—By Mr. Halford, Mr. Mundy, Mr. Hodgson, Mr. Colville, Lord Francis Egerton, Mr. Borthwick, and Mr. S. Wortley, from Morton, Belper, Barnstaple, Bingley, Prescott, Evesham, Halifax, and other places, for Alteration of the Poor-laws.—By Mr. Bankes, from Portland, against the Reduction of Duty on Foreign Stone.—By Mr. Hume, and Mr. T. Duncombe, from Newport (Isle of Wight), the British Medical Association, Dewsbury, and Cleckheaton, against the Income-tax.—By Dr. Bowring, from Bolton, for the Repeal of the Corn-laws.—By an hon. Member, from Aberdeen, and Belkelvie, against the Importation of Foreign Cattle, Meat, etc.—By an hon. Member, from Bristol, against Railway Traffic on Sundays.—By an hon. Member, from Aberdeen, and Wakefield, for the Reduction of Duty on Attornies Certificates.—From Dunganston, Kilmacamogue, Kilcaskin, and Ballymoden, for Alteration of the present system of Education (Ireland). — From Brewood, Cadsall, Tichbourne, Sunnyside, Banbury, and York, that Roman Catholics may be placed on a footing of Equality with other Religious Persuasions in point of Civil Rights.—From the Synod of the Presbyterian Church in London, and Lancashire, for Better Observance of the Lord's Day.—From Alstonfield, and other places, against the Repeal of Gilbert's Act.—From the North West District of St. Matthew, Bethnal Green, Spitalfields, and St. Giles's, Camberwell, for the Redemption of the Tolls on Waterloo, and the other Metropolitan Bridges.—From Garioch, for the Exemption from Window Duty of the Houses of Parochial Schoolmasters (Scotland).—From Worcester, for Alteration of the Tithe Commutation Act. —From Amtwich, against the Reduction of the Duty on Copper.—From Evesham, that Owners in lieu of Occupiers may be Rated.—From Lancaster, complaining of the New Regulations issued by the Registrar General in respect to the application for Certificates from Non-Parochial Registers.—From Proprietors and Tacksman of the River Esk, against the Reduction of the Duty on Salmon.—From Glasgow, East Quarter, Calton, and Mile End Emigration Society, for the Promotion of Emigration.—From Nenagh, against the Renewal of the Bills of Exchange Act.—From Macroom, recommending Cork as the Irish Mail Packet Station between Bristol and the South of Ireland.—From J. Cook, for consideration of the propriety of Compensating the Proprietors of the Bank of England for the loss of Exclusive Privileges.—From Gateshead, and Newcastle-upon-Tyne, relative to the placing of parties in the Commission of the Peace.—From Bolton-le-Moors, and Blackburn, against the Turnpike Road Bill.

CHURCH OF SCOTLAND.] Mr. *P. M. Stewart* begged to put a question to the right hon. Baronet opposite of the deepest importance to the people of Scotland. Owing to the unexpected turn which the question of the Scotch church had taken last night, in consequence of the Government promising to introduce a bill for the settlement of the church of Scotland question, he begged to ask when that bill would be introduced, and to express his earnest wish that, in justice to the people of Scotland, it might be introduced between the present time and the meeting of the General Assembly, which would take place a fortnight hence, in order that the measure might receive the consideration of that body.

Sir *J. Graham* said, he would appeal to the House to say whether the hon. Gentleman had rightly stated what he had announced to the House. In putting the question, the hon. Gentleman had assumed that he had promised, on the part of the Government, to introduce a bill on the subject. What he had stated was, that her Majesty's Government had, subsequent to the time when the hon. Member for Argyleshire obtained leave to introduce his bill, received from various quarters in Scotland, from persons of opposite opinions, all entitled to the highest respect, such communications as had led her Majesty's Government to entertain a hope that a settlement of the unhappy differences that divided the church of Scotland might be possible. To that statement he adhered. Those communications were still in progress; no measure had been matured, but he did entertain a hope that it would be possible for the Government, on its responsibility, to introduce such a measure. The hon. Member for Argyleshire had consented to postpone his bill for six weeks, and what he said then he would now repeat, that he would, on the part of the Government, give the House ample notice; when, if the hopes they entertained should be realised, he would introduce a bill, or if they should not be realised, he undertook to make the announcement in ample time to enable the hon. Member for Argyleshire to proceed with his bill.

BOROUGH MAGISTRATES.] Mr. *Hutt* moved,

"For copies of circulars sent by the Secretary of State for the Home Department, to the various town-clerks or clerks to the magistrates, between the months of August and December, 1841, requiring information as to the state of the magistracy in the towns to which such circulars were sent, as to the number of such magistrates, and of those who had qualified themselves to act."

He would offer no apology to the House for bringing under its consideration the subject of which he had given notice; for if the view which he took was correct, it was a matter which imperatively required the attention of the House of Commons. He should have to call their attention to the manner in which magistrates had recently been appointed in different boroughs in the kingdom. It happened, fortunately for the liberty of the people of this country, that the right of nominating municipal magistrates had never, till a very recent period, been vested in the Crown. Up to the year 1836, the municipalities of England, almost without exception, enjoyed the right of electing their own magistrates. The right was one which had been inherited by the people from the earliest founders of their institutions, and, which even on that account, was entitled to the respect and veneration of the people. But it had merits of a higher and practical character; it was admirably adapted for preserving harmony between the governed and those who administered the laws. Accordingly it was preserved by the Government of Lord Grey in the bill which was introduced for reforming the corporations of Scotland; and as the right hon. Baronet had been a Member of Lord Grey's Government, he must have heard with interest and satisfaction of the well-working of the system for which he was in part responsible in the sister kingdom. In 1835, it formed one of the provisions of the bill introduced by the Government of Lord Melbourne, for reforming the corporations in England and Wales. The provision received the unanimous sanction of the House of Commons, but unfortunately, in one of those angry quarrels which had occurred with the other House, it was struck out of the bill. When the bill came down from the other House of Parliament, mutilated in that, as well as in many other respects, the noble Lord, then the leader of that House, though he deplored the circumstance of this provision being struck out of the bill, did not consider it a sufficient reason for rejecting the measure. He observed, that he did not think any Minister would be found hereafter who would refuse to the corporations the exercise of this right; and he remarked, that if any such Minister should hereafter be found, he did not doubt but that the House of Commons would not be slow to censure his conduct. The noble Lord further added, that so long as he held the Seals of the Home Office, he should think it his duty to adhere to the ancient practice of the land, and not to appoint any magistrate till he had previously consulted with the town-council. With this understanding the mutilated bill passed the House of Commons, and then it was that the ancient rights, which they had recently granted to the people of Scotland by the unanimous sanction of both Houses of Parliament in 1833, which the people of England had inherited from the date of their earliest institutions, which they had preserved in some sort or other through all revolutions for 800 years, were snatched from them at last, and unconditionally given up to the Crown. He hoped one day to introduce a bill into that House, which would restore to the people of England those ancient rights, for he believed the municipalities of the country were the only safe and trustworthy depositaries of power in the State. The noble Lord, then Secretary of State for the Home Department, acted up to the declaration he made. Though he might not in every instance adopt the advice of the town-councils, no appointments ever took place without the most frank and open communication with those bodies. It had been said, "Yes, it is very fine to consult the corporations, so long as the corporations are of your own political opinions." There would have been some justice in the sarcasm if the noble Lord had made that declaration after the result of the municipal elections had been determined. But he determined on his course before the bill passed that House—before the corporations were established—before any man living could possibly foresee what would be the result of the municipal elections. It was then that the noble Lord made that declaration to the House and to the country, and to that declaration he adhered. The example set by the noble Lord was followed by Lord Normanby, and he could not see any good reason why the same course should not be still followed. He knew it might be said that corporations did not invariably recommend the fittest persons for the borough magistracy. He thought it probable, that the right hon. Baronet, the Secretary of State for the Home Department, was prepared with a list of many occasions on which they had erred; but did Lord-lieutenants never err in making the selection? No man of common sense would argue, that because the town-councils sometimes erred in the exercise of the right, they ought therefore to be deprived of it. Whoever was acceptable to the municipal body ought to be acceptable to the Secretary of State. Where could a Secretary of State find more constitutional advisers than the local authorities? It was surely far better to resort to them than to anonymous advisers, responsible to no one for the advice they give. The right hon. Baronet, however, had pursued a different course. He thought such a course was highly to be lamented. When they considered that the people of Scotland enjoyed the power of electing their own magistrates by the act of the year 1833—when it was considered that the citizens of London enjoyed this right, and that people of this country had enjoyed for 800 years a similar right—he thought, under all these circumstances, the House would be of opinion, that the right hon. Baronet had taken a very singular view of his duty, and had most improperly strained the power of the Crown. He had in his hand a list of nearly 400 magistrates appointed during the last eight months, and such being the case, he should like to know from what motives the right hon. Baronet had set about this magistrate making? Was it because the magistrates were insufficient, or was it because he had documents showing that justice had been improperly administered? The right hon. Gentleman had evaded the question with less than his usual address. Would he answer it to-night? The right hon. Baronet most probably will not answer it—neither is it necessary that he should. They had the authority of the Lord Chancellor for the motives on which those appointments had taken place. They had been told, that the town-councils recommended, too many

Liberal magistrates to suit the purposes of the present Government. The Lord High Chancellor is reported to have suggested, in another place, that in consequence of the number of Whig magistrates in the corporate towns, it was necessary to redress the balance by making a large number of Conservative magistrates, in order to secure to the Conservative party the privilege of licensing public houses, a power intended to be used for electioneering purposes. But the right hon. Baronet himself, who seldom indulged in any excess of frankness, was reported to have made an avowal of a similar nature, in answer to certain persons who had waited upon him as a deputation from the Conservative Association of Devonport. These persons had paid a visit to the right hon. Baronet to arrange about the appointment of Conservative magistrates for Devonport. These persons had reported to their friends that they were charmed with the condescension and kindness with which the right hon. Baronet had received them; and in describing their interview with so distinguished a personage, they stated, that while they were dilating on the special merits of the Conservative candidates for the magistracy, the right hon. Baronet had interrupted them by exclaiming, "Never mind about particulars, how many will it take to swamp them." ["Name."] He had read the statement in a Devonport newspaper. He did not wish to take any unfair account of the transaction. Did he understand that the right hon. Baronet disclaimed it? [Sir *J. Graham:* I have not the slightest recollection of it.] As the right hon. Baronet had not the slightest recollection of it, perhaps the transaction had not taken place; but would the right hon. Baronet deny that he had acted on those principles. If he had not done so, had the appointments been made because there had been any complaints as to the manner in which justice was administered in the country, or as to the insufficiency of the existing number of magistrates? He was not going to quarrel with the appointment of any individual. He had received, since he gave notice of his intention, to ask the House to look into this subject, suggestions from various quarters, as to why this or that man was improper to fill the office in such or such a place. He gave no heed to any such communications, and he would do the right hon. Baronet the justice to express his belief that he had never placed upon the bench any individual whom he did not think qualified to fill the office. As far as he had any personal knowledge of the subject, such unquestionably was the case, and although he complained of the large addition which the right hon. Baronet had made to the magistracy, he admitted that he had made no appointment which did not do great credit to the bench. But he would ask, when he made the last addition to the magistracy of Hull, why did the right hon. Baronet place Dr. Alderson at the head of the list? That gentleman was highly respectable; and when he had the honour to represent the borough, Dr. Alderson was of the Liberal party, although, like the right hon. Baronet, his opinions had since undergone some change. But it was a great slight to other Gentlemen who were quite as respectable, to have him placed upon that account above them. With respect to the town which he now had the honour to represent (Gateshead), there were six magistrates in the borough, one of them being a Conservative. [*Cheers.*] He understood that cheer. But the right hon. Baronet had not thought the number of magistrates sufficient, and accordingly he had appointed six additional Conservative magistrates, giving to that favourite town as many magistrates as policemen. He asked, why did the right hon. Baronet so accommodate a town—why did he give a town, in which liberal opinions predominated, a majority of Tory magistrates. Upon what principle—what honest principle was this done? The noble Lord, whom the right hon. Baronet at the head of the Government had raised to the dignified position of Lord-Lieutenant of the county of Durham, in opposition to the claims of another nobleman whose conduct was admired by men of all parties—that noble Lord thought he could justify the proceedings at Gateshead, by remarking that it was a place where revolutionary opinions prevailed, and that the inhabitants had, in former Parliaments, returned a gentleman of revolutionary principles to represent them. It was not necessary for him to defend either his constituents or his friend Mr. Rippon from these idle imputations of their Lord-lieutenant; but he wished the noble Lord who made the observations to remember that in this free and intelligent country no character was so revolutionary — so dangerous to the public peace, as that of a man of high station, of princely fortune, of great political power, who had used these uncommon advantages in such a way as to alienate from him the respect and confidence of his country. But when he looked at the return which he held in his hand, and beheld that in Gateshead, in Bath, in Chester, and in other places where liberal opinions predominate—as is shown by the state of their town-councils and their parliamentary representation — the right hon. Baronet had created a majority of Tory magistrates, he was compelled to conclude that his object was not the equal administration of the laws—that it was not even the specious object of adjusting the balance of parties—but that it was to enable Tory magistrates to traffic in public-house licences, and other matters of magisterial patronage, for party purposes; and he should believe this, even if he had not the authority of the Lord High Chancellor of England for so doing. He believed that the system introduced by the right hon. Baronet was full of danger to the country; and that was not merely his opinion, nor the opinion of the party with which he might be supposed to be connected. He could assure the right hon. Baronet that that was the opinion of men in every position in life. It was the opinion of magistrates of the same political opinions as her Majesty's Government, it was the opinion of many who agreed with Government in their general principles of policy, but who were disgusted at this attempt to pack the local tribunals of the country. The House should remember that they were the only courts of civil or criminal jurisprudence to which alone millions of their countrymen could ever repair. The right hon. Baronet was a man of fortune and high station, who could prosecute a suit in a dozen courts if he thought proper, but the poor man had practically no other courts open to him but the local tribunals of the country. [" *Cheers.*"] He was glad to hear that assenting cheer. Was it then, right that those tribunals should be political. ["*Cheers.*"] He was glad that at least on one point they could agree. He was happy to have the concurrence of the right hon. Baronet that it was neither just nor right that those tribunals should be political. Looking at the state of society in this country, and to the feelings that were abroad, they must see that it was not safe to add to the elements of confusion. He knew it had been said that the judges of the supreme courts were taken from a class of persons who were attached to certain political parties. He knew it. It was the custom in this country, a custom which he thought was more honoured in the breach than the observance. But those judges were more or less distinguished and eminent individuals. They were restrained by their knowledge of the law, and by their habitual deference to the forms of justice from giving way to aay violent political party feeling or bias. But what did these borough justices know about law or jurisprudence? They should be raised to their offices for their personal intelligence and integrity, matters of which the Secretary of State could know nothing, but which their townsmen were sure both to know and appreciate. But the Government would not suffer their townsmen to take part in the election of these magistrates—the testimony of their townsmen the Government rejected; they did not care whether those magistrates obtained and possessed the confidence of their fellow townsmen; all that they cared for was, that they should be active political partisans and determined friends of the Ministers' own recently adopted principles. He protested against this system, and he hoped the House of Commons would see that the time had come to oppose it. It was now declared that the nominations of the town-councils were to be set aside: that every successive Secretary of State was to appoint as many magistrates as suited his purpose, and was to be the sole judge of their fitness and character, while an inquisition was set up on the political opinions of every magistrate on the bench, for the purpose of swamping them every time those opinions might be opposed to those of the party in power. He again protested against the system; it could be fruitful of nothing but mischief, and would render the bench a scene of violent party and political conflict, and make their decisions about as just, about as respectable, and as respected, as the decisions of this House with regard to the trial of controverted elections. The whole system was calculated to deprave the character of the country. It was impossible to exaggerate the importance of having magistrates free from political influence. The general impression in favour of the honourable conduct of those who administer the laws of the country, was one of the leading means by which the English character had been formed. It has given to the humblest among us a feeling of personal independence and individual consequence. To this honourable and exalted feeling, more than to all your successes in war, to your achievements in the arts of peace, is to be attributed the proud position which we occupy among the nations of the globe. But the moment this exalted feeling should be destroyed, the hour was not far distant when they would deeply lament it. He remembered a passage from Lord Clarendon, which was well worthy the attention of the right hon. Baronet or of any statesman who assumed the reins of Government in this country. In tracing the causes of those disasters which raised the people of England against the institutions of their country, and which at last drove them to meet their sovereign in the field, Lord Clarendon said:—

> "It was not the ship-money—it was not the exaction of forced loans which smothered in the hearts of Englishmen those feelings of affection and loyalty to their prince which, in every age and under all circumstances, had been the characteristic of their race. It was not these things. It was the scorn and irreverence into which the judges of the land had fallen; it was in consequence of the people hearing the magistrates pronounce that to be law which every one knew was not law."

He would repeat, that if they pursued this course, and if the sanction of the House were given to the innovations of the right hon. Baronet, he believed it would be pregnant with disaster to the country. The right hon. Baronet at the head of the Government, in the course of his eloquent peroration in his speech on the finances of the country, took occasion to notice the various calamities with which the country had been visited in the course of the last century—the mutiny at the Nore, the rebellion in Ireland, and the war abroad. But there was one calamity of which he would find no trace in our, annals—he could find there no trace of dishonour, no vestige of national disgrace. But if they permitted a Secretary of State to appoint for his own purposes every man whom it suited him to introduce into the municipalities of this country, then they would have approached the greatest above all calamities—that which was a public and a national dishonour. He could not believe that the right hon. Baronet, looking at the course which he pursued when he held the seals of the Home Office, and looking, indeed, at his general character, he could not believe that the right hon. Baronet could declare that these proceedings had his entire and unqualified approbation. The right hon. Baronet, it was true, was surrounded by persons who were telling him that it was his duty to maintain the supremacy of his party by all means and under all circumstances. But he would presume to give him other counsel. He would suggest to the right hon. Baronet that he could not lay the foundations of his power in a surer manner than by securing to the people of this country the impartial administration of the laws. He would suggest to the right hon. Baronet that he could not raise his name to a higher pitch than by taking care that no individual should be raised to the bench of justice, either in the superior courts of the country or in the local tribunals, except those who possessed the confidence of their fellow-citizens. Others might be disposed to give different counsel, but he was sure of this, that if the right hon. Baronet adopted their advice, he would forfeit, for the little purposes of party and for the triumph of an hour, the vital interests of the country and the permanence of his fame.

Sir *James Graham:* Sir,—when the hon. Member who has just resumed his seat first gave notice of his intention of bringing this subject under the consideration of the House, I took the earliest opportunity of expressing to him my thanks on that account. Until this morning I certainly felt that I was under great obligations to the hon. Member; for, after all that has been said here and elsewhere with respect to my conduct on this particular subject, I felt satisfied that he was about to bring that conduct under the notice of the House in some tangible shape, on which I might appeal to its deliberate judgment, and by which my conduct might be submitted to it in such a manner as would enable me to ascertain whether the House of Commons condemned me wholly, or whether, on the contrary, it thought that my conduct was worthy of reprobation. Until this morning nothing could be more vague than the terms of the notice which the hon, Member had placed upon the book. It was, simply, a general notice to call the attention of this House to the recent appointment of municipal magistrates; but, to my surprise, this morning I found, without any public notification given on the part of the hon. Gentleman, the precise terms of the motion which he has this evening made. Now let me remind the House what is the nature of the speech which the hon. Gentleman has thought fit to make as a preface to that motion. He has recalled to the recollection of the House the declaration which the noble Lord the Member for London (Lord J. Russell) made at the time of passing the Municipal Reform Bill—namely, that any abuse of the prerogative of the Crown on the part of the Secretary of State in recommending persons to be placed on municipal commissions would be noticed by this House. Not satisfied with that, he has gone on to designate my conduct in the terms which I will now repeat to the House, for I have taken down the very words. He has said that

"My course is highly to be condemned;" "that I have taken a singular view of the duty of my high office;" "that I have strained the prerogative of the Crown;" "that the interests of the people are deeply interwoven in the question now before you;" "that there has been no parallel in the history of this country of such an abuse of power since the time of Charles the Second;" "and that he hopes that this House will interpose to check so great an evil."

These are the declarations of the hon. Gentleman, declarations which, as a Member of Parliament, he is fully entitled to make, and which I have no right to complain of whatever, since they have been boldly and openly made to my face. Yet entertaining this opinion of my conduct—having formed his opinions so decidedly, before waiting to hear what I may be able to urge in my own vindication—coming fresh from the calm atmosphere of that judicial tribunal, the Southampton Committee—what is the motion with which the hon. Member has concluded? It might, at least, have been expected that the hon. Member would have made some motion directly condemnatory of my proceedings, or moved an Address to her Majesty to remove me from her councils. If the hon. Member really entertains the opinion he has expressed, no motion could be too strong; but what is the miserable subterfuge, the wretched evasion by which he escapes from a vote of this House? Why, he concludes with asking for the production of papers which he knows it is impossible for the Government to refuse. I candidly avow I am, as her Majesty's Adviser in this matter, responsible for these appointments. The hon. Gentlemen says that the Lord Chancellor is technically responsible. I do not see any reason for evading the full responsibility of my office, and I now tell the hon. Member, and I tell the House, that I, and I only, am responsible for the advice given to her Majesty with respect to these appointments. The hon. Member says, that it is most desirable to have magistrates free from political bias; while he, at the same time, expatiated largely on the advantages of having municipal magistrates, chosen by the people. Really, in the present state of parties in this country—although it may be most desirable to have magistrates free from all political bias, I ask whether those magistrates being chosen by the ratepayers, it is not absurd, to expect to find men free from political bias? They must be angels and not men if they are so. If it were possible to find such persons, then I agree with the hon. Gentleman that it is desirable that those who exercise judicial functions within the narrow circle of these places, having a separate jurisdiction should not form, as the hon. Member has termed it, a packed tribunal. It is most true, that the communities within the boundaries of these places have, in many instances, access, in matters immediately affecting their property and lives, to no other tribunal, and it is of the last importance that communities so circumstanced, should have confidence in the justice of those who exercise the jurisdiction. As the hon. Gentleman says, it is not just, it is not safe, that persons exercising authority in those limited communities should be tainted with the character of partisans, or that the tribunals should be so composed as to assume an exclusive character. But the hon. Gentleman has, at the same time, said that he has no complaint to make of the individuals appointed by me, although so minute was the criticism of the hon. Member, that when he talked of Hull, a place which he and I both have had the honour of representing, whilst he distinctly admitted, that with respect to one of the Gentlemen whom I recommended to the Crown to be appointed magistrates, he had not one word to say against him, he nevertheless objected to the particular place in the list which the name of Dr. Alderson happened to assume. I know not any reason why Dr. Alderson's name should appear in that particular place, except an alphabetical reason, the name beginning with the letter A; but with all minute criticism of the hon. Gentleman, that is the strongest objection which he has urged against the appointment of magistrates at Hull.

But I mean distinctly and frankly to avow, what were the circumstances in which I found the municipal magistracy, when I had the honour to become one of her Majesty's responsible advisers. I do not mean to go into any details more minute than I can avoid with respect to this or that particular town; but I will mention generally what was the state of the magistracy in the municipal bodies when I came into office, and what were the motives which actuated my conduct in reference to the appointments recommended by me; and having done so, I shall then leave it to the House to determine whether I have forfeited their confidence by the course I have pursued. The hon. Gentleman correctly referred to what took place on the passing of the Reform Bill, with respect to the statement made by the noble Lord (Lord J. Russell) who was then Secretary of State for the Home Department. It had been proposed by the late Government, that the municipal magistrates should not be appointed by the Crown, but should be elected by the town-council. The clause containing that enactment, after a full discussion, was rejected.

Lord *J. Russell:* It was not proposed that the magistrates should be elected by the town-councils, but only that they should be appointed upon their recommendation.

Sir *J. Graham*: I am sure the noble Lord will admit, that it was first proposed that the municipal magistrates should be elected, and not nominated by the Crown. Does the noble Lord dissent from that? I really thought there would be no dispute on that point.

Lord *J. Russell*: My recollection may be wrong, but the impression on my mind is, that by the clause, it was provided that no person should be appointed by the Crown but those who had been recommended by the town-council. The clause did not give a positive power of election by the town-council; but merely gave to the council a power of recommending persons to the Crown.

Sir *James Graham:* I am obliged to the noble Lord for his correction. I will state the case according to the noble Lord's explanation of it. At the time of the introduction of the bill it was proposed that there should be a power given to the Crown to nominate municipal magistrates, and that, coincident with that power, there should also be a power of recommendation exercised on the part of the town-council. That was the mode of nomination proposed to Parliament. Upon full discussion that mode was rejected by the Legislature; and the undoubted prerogative of the Crown received the sanction of Parliament, and, without reference to any recommendation from the town council, the absolute power of nomination was vested in the Crown and its responsibile advisers. Now the noble Lord during the passage of the bill through Parliament, or immediately after it, made an announcement, that notwithstanding the decision of the Legislature in rejecting this recommendation, he, in the exercise of his power as a Minister of the Crown, would not appoint magistrates unless they received the recommendation of the town-council; and, that, by what I call a straining of the prerogative, he would frustrate the intention of the Legislature, and give the power of nomination to the town-council. The time is now gone by for discussing the question—the constitutional question—whether the noble Lord was justified in holding that language, and adopting that course. I have a strong impression on my mind that he was not. But having established that rule, it was of the last importance that the noble Lord should have abided by it, for the declaration was express. I will illustrate what I mean by a few examples. Did the noble Lord adhere to his own rule, and in appointing the municipal magistrates, did he adopt invariably and constantly the recommendations of the town-council? The first case I will bring under the consideration of the House is that of the borough of Bridport. It so happened that the town-council of Bridport was very much divided in politics. They recommended to the noble Lord a mixed commission of the peace. The noble Lord if I mistake not, set aside their recommendation, and appointed five gentlemen of the opposite party, and only one gentleman concurring with those on this side of the House. This, however, was a case which may be considered not very strong. I will now call the attention of the noble Lord and of the House to the case of the borough of Hastings. The town-council of Hastings repeatedly recommended one particular gentleman, who was a resident of that place, as a person most fit to be appointed a magistrate. The noble Lord, notwithstanding these repeated recommendations, set aside that nomination. But then, again, it may be said, that the noble Lord had some particular reason in this case, which in the exercise of his discretion as a Minister he might not think fit to reveal, and that, though acting strictly up to his line of duty, this case might be a special exception to the general rule. I will now bring forward a case of a far different description. I allude to the case of Bristol. At Bristol, after the first election under the Municipal Act, parties stood in the relative position which I am about to state. There were in the town council twenty-five Conservatives and twenty-four professing politics agreeing with gentlemen opposite. For the sake of peace, though there was a Conservative majority, an agreement was come to that they would recommend to the noble Lord an equal number of magistrates—twelve Whig-Radicals and twelve Conservatives. And now observe the rule which the noble Lord laid down: he said that he would attend to the wishes of the town council; and observe, too, the doctrine of the hon. Gentleman (Mr. Hutt), that equality in this matter is most desirable, in order that impartiality in a judicial tribunal should be preserved, and the sacred cause of justice not be violated amidst the conflict of angry passions and divided parties. In this case, the Conservative party being predominant, they, nevertheless, for the sake of harmony and peace, came to an agreement to recommend twelve magistrates on each side. And here I cannot help observing upon the remark made by the hon. Gentleman who said, that my right hon. Friend (Sir Robert Peel) is pressed by his Conservative supporters to swamp the Whig-Radical magistrates now that he is in power. Was the conduct of the Conservatives of Bristol a proof of any such disposition on the part of the Conservative body generally? But let me call the attention of the House to the course which the noble Lord (Lord John Russell) pursued with respect to the recommendation of the Bristol town-council. He took the twelve Whig-Radicals recommended by the minority, and made them magistrates, but he rejected six out of the twelve Conservatives, recommended by the majority, and among the six whom he so thought fit to reject, was Mr. Daniel, who was at the head of the Conservatives at Bristol—a gentleman of large property—of unimpeached and unimpeachable character—and possessing, in the highest degree, the confidence of his fellow-citizens. The only reason assigned for his rejection, was his age, and want of health. From 1836 up to 1841, he remained in perfect health, thereby living to shame the excuse that was brought forward for rejecting him; and I am happy to say, that I have had the good fortune to place his name, not for the alphabetical reason applying to Dr. Alderson, but as a mark of respect, at the head of the list of magistrates appointed to that place. I have stated a strong case of departure from that fixed rule which the noble Lord declared he would adhere to. Let me now bring before the House the instance of Poole. In the spring of 1836, it being understood that Lord John Russell would adopt the recommendation of town-councils throughout the kingdom, the town-council of Poole sent in its list. It will be supposed, perhaps, that, as in the case of Bristol, the noble Lord exercised his discretion by accepting some and rejecting others. Nothing like it. The whole list sent in by the town-council of Poole was rejected. The noble Lord substituted another list; and what will the House believe was the proportion as to party observed in it? The noble Lord appointed seven magistrates; and of those seven, only one was of Conservative principles. Before I go further, I am most anxious to assure the House, that I view with extreme regret the necessity of analyzing the political opinions of the Members of these municipal bodies. I feel as strongly as any hon. Member opposite, the great misfortune, that the administration of justice should be tainted with party politics; but that was not the case with which I had to deal. I had to deal with a municipal magistracy, steeped to the very lips in party politics, and it was not for me to determine whether a magistracy should be so tainted, but being so tainted, whether I should with firmness and moderation, apply a corrective. I conceive, that in order to avoid the evil of having persons upon the bench, who would be exposed to undue temptation to interfere in local politics, there are two classes of persons whom it is the special duty of the Crown not to appoint. I allude to practising attorneys and brewers. The late Government made no such exceptions; they appointed practising attornies and brewers. In so extensive an operation as the additions I have made, it was necessarily extensive, for party pervaded the whole of our municipal institutions—I may have been betrayed into error upon this point. When the hon. Gentlemen opposite were in office, practising attorneys and brewers were generally appointed; and through inadvertence, I may have committed some single error, but I am not aware, that in my list will be found one practising attorney, one brewer, or one beneficed clergyman. I have shewn, that the noble Lord did not very strictly adhere to his own rule of attending to the recommendation of the town-councils, and I will now bring under the notice of the House what is very remarkable—it is this—that wherever Conservatives were appointed magistrates, a curious selection was in many instances made. Some Conservatives who were appointed, had informed the noble Lord distinctly, that they would not act; in other cases, the infirmities of the parties were known to be such, that they could not act, and not a few from particular circumstances, were disqualified to act. I might illustrate this singular fact by many examples, but in no case has it been more strikingly exemplified than in that of Norwich. In 1837, six additional names were selected by the town-council to be added to the commission of the peace; three were Whigs and three were Conservatives; all were approved by the noble Lord, but while the three Whigs were active men in the prime of life, two of the Conservatives were extremely aged, and the third paralytic. I found at Norwich nineteen magistrates, thirteen of whom are Whigs and have taken out their *dedimus*, and of the six Conservatives, two cannot act, and a third cannot walk, and never entered the justice room. Of the remaining three Conservatives, A. B. is eighty-six, C. D. is aged seventy-seven, and E. F. seventy-five. It would be tedious to go through these matters in detail; but it is my duty to bring them under the notice of the House compendiously, and to state the general result of the proceedings of the noble Lord, in order that I may contrast them with my own. The hon. Member for Gateshead stated, that the object of the noble Lord had been to establish a mixed magistracy—not one of an exclusive kind; and I think he went the length of saying that the noble Lord had succeeded tolerably well. I will give the House a few specimens of the noble Lord's success, and I will begin with Bath. Eleven magistrates were appointed, nine of whom were Whig-Radicals, and only two Conservatives. At Birmingham thirty-three magistrates were appointed, twenty-seven of whom were Whig-Radicals, and six Conservatives. At Boston five magistrates were appointed, all of them Whig-Radicals. At Bridport four magistrates were appointed, all Whig-Radicals. At Canterbury eight magistrates were appointed, all Whig-Radicals. At Carlisle eleven magistrates were appointed, ten of whom were Whig-Radicals, and only one Conservative. Coventry, fortunate Coventry! had twelve magistrates appointed, and all Whig-Radicals. At Dartmouth six magistrates were appointed, all Whig-Radicals. At Lynn four magistrates were appointed, all Whig-Radicals. At Denbigh the same number, and of the same complexion. At Derby eight magistrates, all of the party of the noble Lord. At Droitwich six magistrates were appointed, all Whig-Radicals. Flint had the benefit of eight Whig-Radical magistrates, without any infusion of Conservatism. Folkestone had four magistrates, all Whig-Radicals. At Great Grimsby seven magistrates were appointed, all Whig-Radicals. At Hereford a slight dash of Conservatism was allowed, for, out of seven magistrates, one was opposed to the politics of the Government of the day. At Hythe there were five magistrates, all Whig-Radicals. At Kendall four, all Whig-Radicals. At Leicester twelve, eleven Whig-Radicals and one Conservative. At Lichfield there were six magistrates, all Whig-Radicals. At Lincoln eight magistrates, in the proportion of seven to one. At Liskeard three magistrates were appointed, all Whig-Radicals. At Liverpool it was hardly possible for the noble Lord to take so bold a course, but still he was courageous enough to approximate very nearly to his usual practice; out of thirty-one magistrates, twenty-five were Whig-Radicals, and six only Conservatives. At Macclesfield the six magistrates were all Whig-Radicals. At Manchester thirty-three magistrates had been appointed in the proportion of twenty-nine to four. At Newcastle-under-Lyme of sixteen magistrates three were Conservatives. Portsmouth at that time enjoyed the great happiness of being represented by the Chancellor of the Exchequer, and there the eleven magistrates, without a single exception, were supporters of the Government of which the right hon. Gentleman was a Member. At Richmond, in Yorkshire, four magistrates were appointed, all Whig-Radicals. At Stockport they had the advantage of twelve Whig-Radical magistrates, and the Conservative party not one friend on the bench. At Sunderland there were ten Whig-Radicals, and this brings me to the question respecting Gateshead. There are three towns in the county of Durham having magistrates—Stockton, Sunderland, and Gateshead—and the number of magistrates in them is considerable. There are three at Stockton, at Sunderland ten, and at Gateshead six, making nineteen in the whole. Out of these nineteen, when I came into office only one was a Conservative. All at Stockton were Whig-Radicals — all at Sunderland the same—but at Gateshead, there was, by some chance, a single Conservative. This is what is called by the hon. Member the equal administration of justice among the administrators of justice, and I am to be blamed and charged in my place here because I advised the Crown with temper and moderation, but with decision, to put down a local tyranny of this description, by which, under the forms of justice, justice itself was prostituted. If ever there was an evil which called loudly for redress by the fair exercise of the prerogative of the Crown, I stand here as the servant of the Crown, and I declare that this was the occasion. Bring forward no trumpery motions of this description; let us come to the point. Let the hon. Member raise the question fairly before the House; let him appeal to its decision, and let that decision be pronounced. Let the House say, whether I have not discharged properly the duty imperatively forced upon me. I had proceeded in my list as far as Sunderland, and next I come to Tiverton, represented by the noble Lord (Lord Palmerston). What is the case there? Five magistrates were appointed, all of them Whig-Radicals; Totness had four Whig-Radicals, Walsall had seven magistrates, only one of whom was a Conservative. At Wigan, fourteen magistrates were appointed, thirteen of whom were Whig-Radicals with one Conservative. At Chester, they were nine to one; and at Yarmouth, with which I may crown my enumeration, there were nineteen magistrates, eighteen of whom were Whig-Radicals, and only one a Conservative. These are the particulars, but what is the aggregate? What, in fact, was the state of the municipal magistracy when I came into office? I found that there were 1,026 magistrates, and of these how many does the House think, in vindication of the noble Lord's principle of equal justice, without the influence of party, were Whig-Radicals, and how many were Conservatives?

Lord *J. Russell* was understood to say, that he had never contended that the numbers of each party should be balanced upon the bench.

Sir *J. Graham:* The noble Lord in the case of Kidderminster, appointed three magistrates of one party, and three of another; and he is reported to have said, that his object was to make the numbers of each party equal on the bench. It certainly, however, did happen, that upon one of the Conservative magistrates of Kidderminster dying shortly after, the noble Lord sought to maintain the equilibrium of the judicial bench by appointing two Whig-radicals in his stead. I have stated to the House the entire number of municipal magistrates existing at the time I succeeded to office, with the exception of fifty-seven, who act in boroughs where I have made no addition to the commission, and who are not, therefore, taken into my calculation; but of the 1,026 magistrates nominated by the late Government, the proportions, excluding the fifty-seven, were these—

Whig-Radicals	743
Conservatives	226

That was the sort of equality with which I had to deal when I came into office. The individual appointments I have made are not carped at by the hon. Member for Gateshead. He says, he does not complain of the selection of particular persons, but he rests his charge upon general grounds; and let me now call the attention of the House to what has been the effect of the operation which I have performed, or of which I advised the performance. The gross number has been increased by me from 1,026 to 1,435. Let it be recollected, that much angry feeling having been excited with reference to this subject, I have had the exclusion of particular names pressed upon me; but in no instance have I omitted the name of a single magistrate appointed by my predecessor. Various reasons were assigned to induce me to take a contrary course, but I answered that the march of the Government might be rendered unsteady, if what a former Government had done in the name of the Crown were to be undone by their successors from party motives. I did not think it would be safe for the Secretary of State to enter into such questions with a view to censure or punishment, and the consequence has been that I have not excluded a single magistrate. Having excluded none, but added many, the gross number stands, instead of 1,206, 1,435. The hon. Member talks about my swamping the Liberal magistracy; and here I beg leave to deny any recollection of a conversation with gentlemen from Devonport such as the hon. Member has reported. If the hon. Member received the account from any one of the deputation, his recollection may be more accurate than mine, but I never heard of it that I am aware of till the moment the hon. Member mentioned it; and my belief is, that he has been most grossly misinformed. So far from wishing to invert the balance of parties, I am persuaded that it has been done in very few cases; and if I were to discuss the matter place by place, I could show good reasons why it had been done there. But I am not now entering into details; I deal only with the general result; and I say that the proportion of equality under the noble Lord's administration was 743 Whig-Radicals to 226 Conservatives. What has been the result of what I have done? Out of the total number of 1,435 magistrates there remains, exclusive of the fifty-seven to whom I before referred, a majority of 743 Whig-Radicals, and a minority of 635 Conservatives. I do appeal, then, with confidence to the House of Commons, and ask whether what we have done in this matter is the act of a Government flushed with success, and intoxicated with power, and whether we deserve that it should be asserted of us that we have swamped the Liberal magistracy in all the municipal corporations of the kingdom? I am prepared to vindicate my conduct, both generally and specifically; but it may be asked, and indeed it has been asked, from what quarter do I draw my information? I am responsible for the advice I have given to the Crown, and to the best of my belief the appointments are unexceptionable, and they are such as even the hon. Member cannot individually object to. I have obtained my information from the highest quarters—from gentlemen of honour, intelligence, and integrity, on whom I could depend, and, depending upon them, I am responsible for the course I have taken in recommending magistrates to the Crown. If I am asked from what source I have derived my knowledge of the characters and politics of the parties selected, I may answer that I have derived it in much the same way as other people obtain information respecting the worth and opinions of individuals. I shall not state exactly what I did do, but I will tell the House what I did not do. I will give the hon. Member some light upon the question negatively, by showing him what course the noble Lord sometimes took to procure information respecting the characters, and the politics, too, of candidates for the magisterial bench. In the Buckinghamshire newspaper a correspondence is published, which bears date in 1836, and one of the letters I will read to the House. It is dated "Reform Association, 3, Cleveland Row, 24th June, 1836," and it is signed "James Coppock." It is addressed to "J. Voules, Esq., Windsor, and is in these terms:—

"I will thank you to have the goodness to inform me, by an early coach to-morrow morning, what is the profession, trade, and politics of the following gentlemen in Windsor:—Mr. W. Lee, Mr. Robert Blunt, Mr. Edward Bobbington, Mr. R. Tebbott, and Sir J. Chapman. I shall feel much obliged by your reply, and remain, &c."

The answer to this polite note signed "James Coppock," and dated from the Reform Association, was dated the 29th January; and Mr. Voules there apologises for not having sooner sent his reply, because the inquiry had not earlier reached his hands, and proceeds thus:—

"I now beg to forward to you the information you require. Mr. W. Lee is a banker and brewer, and a Liberal. Mr. Robert Blunt is a saddler, who has always supported the Government, and voted for Ramsbotham. Mr. Edward Bobbington is a Liberal. Mr. R. Tebbot is a builder, of the same politics; and Sir J. Chapman is a surgeon, and a high Tory.

This answer was delayed owing to the absence of Mr. Voules until the 29th of January, but I find by the records of the Home-office, that on the first of February were appointed the following gentlemen, magistrates of Windsor:—Mr. W. Lee, the banker, brewer, and Liberal; Mr. Robert Blunt, the saddler, who had always voted for Ramsbotham; Mr. Edward Bobbington, the Liberal; Mr. R. Tebbott, the builder, and constant supporter of Government; and, lastly, for decency's sake, Sir J. Chapman, the surgeon, and high Tory. I tell the House at once that I can have no objection to have my appointments canvassed. I may have been deceived; I may have been unfortunate in my nominations in one or two instances; but as yet no gentleman I recommended to the Crown, to be placed among the municipal magistrates, has been convicted of high treason. I am not the Secretary of State who recommended Mr. John Frost to the special trust and favour of her Majesty. I have not a word to say against the production of the document required, but I wish the hon. Member joy of ending such a speech as he has made with such a motion.

Mr. *F. Maule,* having occupied an official situation in the Home Office, during the period referred to, hoped that he should be excused for addressing the House immediately after the right hon. Baronet. He was aware, that he must speak under a considerable disadvantage, because he could not have access to official documents, and was unable to carry in his memory much that related to the list which the right hon. Baronet had read. There were, however, some points upon which he thought he could make out a satisfactory answer; but before he alluded to them, he might be permitted to say, that the right hon. Baronet might have replied to the speech of the hon. Member for Gateshead, with something more of calmness and in a better temper. If, instead of so far forgetting himself as to allude to the position presently occupied by the hon. Member upon an election committee with the proceedings of which the House had been too much troubled, the right hon. Baronet had drawn a distinction between his own situation now, and that of the noble Member for London some time ago, he would certainly have spoken more to the purpose. His hon. Friend (Mr. Hutt) had anticipated that the right hon. Baronet would rely entirely upon a *tu quoque* sort of argument, but the difference in the respective positions of his noble Friend (Lord J. Russell) and of the right hon. Baronet formed a most material part of the case. His noble Friend had been called upon to act just after a statute had been passed abolishing the old magistracy in the municipal towns of England; it was the duty of his noble Friend to advise the Crown as to the future constitution of that magistracy, and his advice was, that means should be taken to arrive at such a nomination as would give to those in the commission of the peace the confidence of the inhabitants of the various towns. His noble Friend had even proposed, not that the magistrates should be elected by the town-councils, but, simply, that the Crown should possess a veto on their nomination. Such was the clause introduced into the Municipal Reform Bill, but it was rejected in the House of Lords, and his noble Friend, when the bill came back from the other House, stated, as an inducement to the acceptance of the mutilated measure, that although the prerogative was vested in the Crown, yet that, as Secretary of State for the Home Department, his ears would be open to listen to and consider the recommendations of the town-councils. The best principle for the appointment of magistrates anywhere was, that such should be chosen, because they possessed the confidence of those among whom they resided; and no man would assert that in listening to the town-councils, and in selecting the magistrates after having listened, the right principle had not been adopted. If it were not the right principle, why had it been applied to Scotland? Why did the right hon. Baronet, as part and parcel of Lord Grey's Government, consent to pass the Scotch Municipal Bill, by which the election was given to the town-councils, without even the veto of the Crown? Yet that measure had worked well, and would continue to work well; there had been, and would be no complaint regarding its operation. If the system were so objectionable in England, why had it been extended to Scotland? If it were so objectionable, why was it permitted still to prevail in London? London was the highest and most important city in the world, but there were others of great wealth and power, and why was that granted to London, which was refused to other great municipalities? His noble Friend before, not, as had been asserted, after the municipal elections in 1836, had issued a circular to the boroughs, intimating his intention to listen to the voice of the town-councils; but there was a great difference between the right hon. Baronet's representation of the contents of that circular and the reality; for the noble Lord did not pledge himself to obey the recommendations of the town-councils, but left himself at full liberty to advise the Crown on the exercise of its prerogative. It had certainly turned out, that the great majority of magistrates recommended was of a particular party in politics; that fact was too obvious, to be denied for a moment; so obvious was it, that the right hon. Baronet had brought the subject under the notice of this House, and Lord Wharncliffe had also made a motion upon it in the House of Peers. The very case of Bristol now revived, had then been brought forward and discussed, and the treatment of Mr. Daniel had been made the subject of much observation. Why that gentleman was now put into the commission, excepting as an empty honour in the evening of his days, he could not imagine. He was aged and deaf in 1836, and for that, among other reasons, he was not, indeed, excluded from the magistracy, but was not appointed to the bench. The House would bear in mind, that his noble Friend (Lord John Russell) had informed the House, that Mr. Daniel, in 1836, was so infirm, that he had been unable to fill the office of mayor of Bristol in the preceding year. Was it possible, then, that the right hon. Baronet should now attempt to take credit to himself for appointing Mr. Daniel to the empty honour of a magistrate of Bristol? The House had heard a long list of the names places to show the inequality of the appointments as to party politics; but when the right hon. Baronet read it, he was not able to inform the House that it was not the list which had been sent up by the town-councils themselves, nor had he ventured to assert that the list had been altered to suit the political views of the noble Lord then in office. He believed that it was the list recommended by the inhabitants of the boroughs. Whatever disproportion there might be, he was prepared to maintain, that the magistrates possessed the confidence of the persons by whom they were recommended, and instead of injury having been done, general satisfaction had been experienced. He now came to an expression used by the right hon. Baronet, to which he begged to call the particular attention of the House; it was that justice had been prostituted by the appointments of the noble Lord, the Member for London. The right hon. Baronet had complained of the charge this night brought against himself; but what charge could be more grave or more gross than that made by the right hon. Baronet himself, when he said that the noble Lord, his predecessor in office, had been guilty of a prostitution of justice. To that, and to nothing less, the accusation amounted, and he had no hesitation in declaring that it was totally, utterly, and entirely groundless. It was a charge which the right hon. Baronet could not prove; for if he could have proved it, he was not the man to have left it unestablished. Justice prostituted in the boroughs of England! and that accusation was made by a Secretary of State in a speech from his place in the House of Commons! The charge proceeded from one who had access to all official documents showing it to be unfounded, but who nevertheless brought it forward for the sake of procuring a party cheer. That accusation was that night repeated as it had slipped from the tongue of the right hon. Gentleman in the year 1836, but which the right hon. Gentleman had not ventured to substantiate. That accusation was utterly groundless, and he fearlessly appealed to the people of England, and to the people of the municipalities of England, to give a contradiction broad and direct to the accusations of the right hon. Gentleman. Until, therefore, the right hon. Gentleman retracted that accusation, or came forward with evidence to substantiate it, he himself must stand in an equivocal position before the country. The statement of a responsible Minister of the Crown that justice had been prostituted by the two Ministers who had preceded him in the same department was not likely to be passed over quietly by that House or by the people of England. And he must tell the right hon. Baronet that it would not be lightly passed over, unless he brought forward evidence to substantiate the charge, or honesly retracted it. It would be believed to have been used only as a *tu quoque* argument, resorted to merely to draw down a few party cheers, and to lead off the attention from the accusation made against himself. While the right hon. Gentleman was making these accusations against his noble Friend in that House, he had done well to rescue his own noble Friend, the Lord Chancellor, from the somewhat remarkable assertion he had made in another House. The Lord Chancellor was reported to have said in another place, that in no one instance had the balance of parties been changed in any one borough of which he had cognizance; and further, he could positively assert, that the prerogative of the Crown had not been exercised with the view of giving the majority. The right hon. Gentleman (Sir James Graham) had, in passing, contradicted that statement. He was prepared also to contradict that statement by facts. In the borough of Gateshead, which had been particularly alluded to, the original number of magistrates was six, of whom five were Liberals and one was a Tory—the right hon. Gentleman had added six Tories, subverting and reversing the original proportions. In the city of Bath the original numbers were two Tories, two absentees, and six Liberals; supposing that the two absentees were Liberals, there would be but eight Liberals; and the right hon. Gentleman had added eight Tories, subverting the Liberal majority. In the city of Chester, the magistrates were seven—three Tories and four Liberals. He should have thought that this might have satisfied the right hon. Gentleman. [Sir *James Graham*; "The numbers were five to two."] He repeated, there were three Tories to four Liberals, and the right hon. Gentleman had added six Tories. In Dover, where there had been five Tories and seven Liberals, the right hon. Gentleman had added seven Tories. He should not have mentioned these cases unless the Lord Chanceller of England had stated more—had unscrupulously stated that in no one instance had the additions to the magistracy had the effect of changing the state of parties on the bench. He concluded that the noble and learned Lord had made these statements from ignorance, or from that recklessness of assertion to which he sometimes gave way when he had a difficult case to meet. He came now to the case of Poole; a case on which the right hon. Gentleman had laid considerable stress, and in which the right hon. Gentleman accused his noble Friend (Lord J. Russell) of rejecting the recommendations of the town-council after he had laid down the principle of adopting them. He admitted, that his noble Friend had rejected the recommendations of the town-council, and when he reminded the House of the means by which that town-council was elected, and the fraudulent means by which the majority was obtained, and when he read to the House the report which a committee of their own House had made of the conduct of the returning officer, the House would agree with him that his noble Friend was justified in recognising no act of that town-council; and more especially when all the acts of that town-council were called in question before the courts of law. On referring to the report of the committee on the municipal election of Poole, he found that the then returning officer, Mr. R. Slade, had stated that he first took the split voting papers, or those which had not the full number; that he then took the full voting papers; and in every instance took the vote rejected from the second voting paper; that many duplicates were put in, and in every instance gave the benefit of these duplicates to the Tories. By these means a fraudulent town-council was obtained for Poole. These were the facts which were substantiated before a committee of their own House. He said then that his noble Friend was perfectly right when he rejected the recommendations of the town-council, and selected gentlemen for magistrates, the capacity of every one of whom was undisputed, and had remained undisputed to the present moment. What, however, had the right hon. Gentleman done the instant he came into office with respect to this very town, Poole? He found there a certain number of magistrates of whom eight were liberals, and he did not know whether more than one was a Tory; he immediately added five to the commission, of whom one was this Mr. R. Slade, the returning officer at this very municipal election, which obtained a fraudulent corporation for the borough of Poole. The very gentleman who had been most mixed up with the transactions to which he had referred, which were recorded in a report of the committee of the House of Commons, had been selected by the right hon. Gentleman as a magistrate for the town of Poole. He asked how the people could have confidence in such an individual? For his part, he never could have consented to make this man a magistrate in that town. It appeared that the right hon. Gentleman had subsequently appointed Mr. Thomas Slade. He had reason to believe that the right hon. Gentleman had mistaken this Thomas Slade for R. Slade, the late mayor, for the appointment was not dated till the 21st of February, and had been suspended till inquiry had been made. It showed that the right hon. Gentleman was not well informed as to the original recommendation for Poole, when he made the mistake of Thomas Slade for R. Slade. It was curious that the very person who accused his noble Friend of acting from party motives should have been the party in the borough of Poole to choose the man who had been mixed up in this manner as returning officer, and who if he had not been himself guilty of the fraud, was at all events cognizant of it. With reference to the case of Bridport, his recollection did not carry him sufficiently far back to enable him to reply to the right hon. Gentleman; but with respect to Hastings, the last appointment of the Marquess of Normanby was of three magistrates, and of those he nominated one Conservative. In naming three magistrates he took two Whigs, instead of two Whigs who had gone away from the place, and in addition a Conservative magistrate had been put in at the request of the town-council. There was therefore nothing unfair with respect to the nomination in that town. His hon. Friend near him (Mr. Hutt) had said, that the town-councils might have erred in some of their nominations. He admitted, that they might have formed an erroneous judgment, but be that as it might, he thought that with all that objection and that drawback, if they pursued the Scotch system, they were more likely to obtain magistrates possessing the confidence of the people, than under the contrary system now pursued in England. He thought it was better that in the boroughs the magistrates should be persons selected by the people themselves; if in England the prerogative of the Crown was superior to the authority of the law he would bend, but still he was of opinion that they should attend to the recommendations of the town-council, as far as it was possible, reserving to the Crown the right of striking out the names of any persons who might be objectionable, and adding those persons whom the Crown should have reason to believe had been improperly left out. On the whole, he should maintain that persons were most likely to gain the confidence of the inhabitants who were chosen by themselves. His noble Friend had followed that principle in his appointments; such had not been the conduct of the right hon. Gentleman. When the right hon. Gentleman came into office, he found a large body of magistrates differing largely from the principles of his Government. He did not deny it, but of the vast majority of the individuals forming that body no complaint had been made in that House, or out of it, since the year 1836. No one had called in question the due and fair administration of justice; and if any question had been raised as to their integrity, and as to their mode of dispensing justice, when that question had been directed to the proper quarter, he would confidently appeal to the records of the Home Office as evidence that it had never been unattended to. Under these circumstances, therefore, he thought it was unwise to make this sweeping addition to the borough magistracy. He looked upon it as a precedent that might be followed in after times, not only to the great detriment of justice itself, but almost to the denial of justice in the municipal corporations. In Scotland, for ages past it had been the custom for the people in the boroughs to appoint their own magistrates. No Secretary of State had ever stood up in his place and declared that "justice had been prostituted there." All had worked well there; it was only when the administration of justice had been made use of for the purposes of party, and had been placed in the hands of political partisans that they had the charge of justice being prostituted. He maintained, then, that his noble Friend's conduct with respect to the appointment of magistrates had been consonant to the feelings and the wishes of those for whom justice was to be administered. He maintained, that the course of the right hon. Gentleman was opposed to their feelings and sentiments; and he warned the right hon. Gentleman, that if he pursued the system of appointing magistrates against the wishes of the people, he would speedily lower, and ultimately lose all the respect now paid to the administration of justice. If the right hon. Gentleman had confined himself to filling up the vacancies which were every day occurring, from death or resignation—if he had said that he found an undue preponderance of Liberals, and had declared that all future appointments ought to be Tory, he should have offered no opposition to such a course. But he did object to a course which was bad as an example, and which he feared might have the effect of detracting from the respect paid to the administration of justice.

Sir *J. Hanmer* said, that when a vacancy had occurred in the High Stewardship of Hull, the Duke of Wellington had been duly recommended for the office; but it seemed that in those days the authority of ancient charters, on which that recommendation had been made, were not much thought of, and that the power of the Crown went for something in opposition to the wishes of those entitled to recommend, for the Crown had been advised to appoint the Marquess of Normanby to the office of High Steward. He thought, that the fair and impartial character of justice had been greatly damaged and altogether outraged by such constant appointments to the bench amongst political partisans as had been made by the late Ministry. In the town of Hull, at the passing of the Municipal Corporations Bill, eighteen magistrates had been appointed, out of whom only two were Conservatives, one a Gentleman who had a seat in that House, and did not live in Hull, but in Beverley, and the other had never qualified, nor did he ever intend to qualify. The highest testimony had been then borne by the bitterest enemies of the old corporation to the manner in which their duties had been discharged. In 1841, it became necessary that some addition should be made to the magistracy, and the name of Mr. Barkworth, a gentleman who had filled the office of mayor, and who for a long period of time had been a magistrate, and had given the greatest satisfaction in the discharge of his duties, and that of another gentleman who had been a magistrate, were proposed to the town-council, but they had been passed by; their services had been forgotten, and in the place of Mr. Barkworth (who had been called one of the first magistrates in the kingdom) and the other gentleman named, the town-council had recommended two of their own partisans. At present, how did the case stand? Out of the twenty magistrates in Hull, thirteen entertained opinions similar to those of hon. Members opposite, and seven only were Conservatives. But those seven had not been appointed by the right hon. the Secretary of State for the Home Department, because of political partisanship. He had never heard of the appointments until they had been made. The two gentlemen he had named who had been added to the bench, had before been passed over; they were great merchants, fit to represent their own town, or any constituency in Parliament, and with five other gentlemen they had most properly been added to the bench. And what had been the result? Increased confidence in the discharge of the magisterial duties, and the respect paid to the bench had increased one hundred-fold. He merely bore testimony to the effect of the appointments in one place which he knew. He could not tell what was the sense or the meaning of the motion before the House; he could not understand it. He believed almost every Member of a municipal town could bear similar testimony to what he had done. There were no complaints made against these appointments, except such as bore on the face of them the evidence of party spirit.

Mr. *H. Berkeley* said, that the right hon. Baronet had stated, that the town-council of Bristol, having been called upon to send up twenty-four names for the magistracy, had sent in the names of twelve Liberals and twelve Tories; but that the late Government, on the other hand, had selected the twelve Liberals and only six Tories. As he thought this case had been years ago set at rest, he was surprised that the right hon. Gentleman had relied so much upon it, and that hon. Gentlemen had so lustily cheered it. He did not think, however, that the right hon. Gentleman was quite correct in the statement he had made to the House. He would therefore explain exactly how the case stood, and then leave the House to judge whether there had been any exaggeration. Eighteen magistrates were required for the city of Bristol. The town-council had named twenty-four persons. Twelve of these were said by the right hon. Gentleman to be Liberals; but of these twelve so-called Liberals, two had never voted at all. So much with regard to that part of the charge. Of the rejected six, some formed part of that incapable body of magistrates when the city of Bristol was ravaged and nearly burnt down by a lawless mob. Others were rejected because they were dealers under the excise acts, and so disqualified by statute; and another was passed by on account of his advanced age; and if anything were said as to the conduct of the bench before the right hon. Gentleman gave the town the advantages of his additions, he could only observe that they actually appointed Tory officers in opposition to Whig candidates.

Mr. *Brotherton* observed, that it had been stated there were twenty-nine Liberals appointed magistrates in Manchester. It might be in the recollection of the right hon. Baronet that when the Municipal Corporation Bill was before the House, he divided with him in favour of dividing the town into wards, and he avowed that he had a great objection to making the corporation political, or giving an ascendancy to any one party; and he certainly did advise the gentlemen who were connected with the corporation to invite a number of the Tory party to be magistrates. A great number of those gentlemen refused to have anything to do with the corporation, and it was in consequence of their refusal that so many of the Liberal party were appointed. He was one of those appointed, and he would say for himself, and for several other magistrates, that they were now ready to resign if it would have the effect of producing harmony and remove that opposition to the corporation of Manchester that had existed for a considerable time. He did not like to see party politics introduced, and he did think there would be no objection in Manchester to equalise the number of those of different politics. Whatever might be said by others, he felt fully convinced there was a feeling on the part of one party in Manchester to conciliate the other, and he was certain they would act cordially with them.

Sir *Charles Douglas* said, he did not consider that the House would think that the speech of the right hon. Gentleman the late Under Secretary of State, was any answer to the right hon. Baronet (Sir J. Graham), who had made so complete and unanswerable a statement of facts, that he (Sir C. Douglas) felt much hesitation in attempting to add any thing upon the subject, and he would not venture to do so if he had not received such communications from Birmingham, Coventry and Warwick, as proved to him that his constituents, and also many other persons in those towns, took a deep interest in the subject before the House. He held in his hand a return dated July, 1839, by which it appeared, as stated by the right hon. Baronet, that the late Government had appointed twenty-five magistrates for Birmingham, of whom five only held Conservative opinions; in Coventry they had appointed twelve, all of whom held Radical opinions; and in Warwick of five magistrates four were Radicals and one Conservative. It had been said, that the noble Lord (Lord J. Russell) acted on the principle of taking the recommendations of the town-councils, but such was not the case, except when it suited the views of the late Government—the wishes of the people were not attended to by them, in proof of which he would read an extract from a petition presented to the noble Lord in January, 1839, most numerously and respectably signed by the clergy, gentry, bankers, merchants, and other inhabitants of Birmingham, complaining that nearly all the magistrates appointed by the noble Lord held extreme Radical opinions, they stated

> "The importance of keeping the administration of justice free from the taint of partiality and political bias."

And they prayed that those who had hitherto given general satisfaction as magistrates might be continued in the commission for Birmingham. But what answer did the noble Lord give? He admitted the number and respectability of the petitioners, acknowledged the petition, and took no further notice of it. The clause in the Municipal Act which gave the Secretary of State the power of making these appointments was introduced expressly to prevent the administration of justice being swamped by the popular clamour of the day—and the noble Lord immediately, so far as he could, swamped it altogether by the immense preponderance of those of one party, whom he appointed for life. In Coventry (and he would here apologise for troubling the House with reference to these two places, but he had been requested to do so, and he had a right to comment on the appointment of the Government in any place,) twelve Radicals had been appointed by the late Government. [Mr. *Williams*: No.] Whigs might be a more agreeable term to the hon. Gentleman, but he (Sir C. Douglas) could not call them by that term; however they voted for the hon. Gentleman. The city of Coventry had sent a memorial in 1837 to Lord John Russell, requesting that four Conservatives might be added to those twelve—viz., two old magistrates, a banker, and a gentleman of property. The Conservatives of Coventry asked only for four—but that even was useless, the noble Lord rejected the four Conservatives, and appointed the twelve Radicals, and so it existed at the dissolution of Parliament by the late Government. With respect to the conduct of these magistrates, he did not wish to cast any imputation; they might be most respectable and fitted for their situations, and he was ready to admit that their conduct would probably have been the same had they been Conservatives instead of Radicals; but as it had been alleged by the right hon. Gentleman (Mr. Fox Maule) that the administration of justice had been questioned by the right hon. Baronet (Sir J. Graham) without any reason whatever, he (Sir C. Douglas) begged to state, that partiality had been shown by those Radical magistrates, to as great an extent as possible, in granting licences to public houses; and that was a matter of importance in any borough, and it was in such matters that political bias and party motives should never be allowed to interfere. He would state the facts as communicated to him. He held in his hand a list of twelve public houses and the names of those to whom the licence had been granted—they had all (with one exception, where the man had no vote) voted for Ellice and Williams, and not one Conservative had succeeded in getting a licence, though many had made applications, and notwithstanding their applications had been backed by most respectable requisitions. The consequence in Coventry had been disgust and terror; some not venturing to vote at all, and others voting against their consciences for fear of losing their licences. The present Government had added seven gentlemen of Conservative opinions to the twelve Radicals, and therefore, so far from leaving the borough of Coventry with twelve of their own party, without one of their opponents, they left it with a majority of five Radical magistrates. He would not now allude to another matter in which the late Government had shown equal party favour, viz. in the appointment of charity trustees at Coventry, another time he might. He would now take the case of Stratford-on-Avon. This town did not send a Member to Parliament, but the facts were, the town-council recommended to Lord John Russell three persons, a Quaker, who never voted at all, and had been mayor, a Radical, and a Conservative. The late Government, however, objected to him for being a maltster, and without any further communication with the town-council, they appointed another Radical — giving to Stratford only two magistrates, both Radicals, passing over the neutral and objecting to the Conservative—one Radical soon left the town and then the Quaker got in. The town-council asked for one Radical, one Conservative, and one neutral —they got two Radicals from Lord John Russell. So much for the pretence that the late Government took the recommendations of the town-councils. He now came to the case of the town he had the honour to represent, Warwick. There the town-council had recommended to the noble Lord (Lord J. Russell) seven gentlemen, of whom one held Conservative opinions. [Lord *J. Russell* — "His Name."] Mr. Kelynge Greenway, the late high sheriff, a gentleman highly respected. Parties in Warwick at that time and since, whatever they might be now, were very nearly balanced, as was proved by parliamentary and municipal elections. The inhabitants of Warwick thought they might venture to hope, that the noble Lord would give a fair consideration to their wishes, and therefore they presented a petition, praying that more than one Conservative might have a seat on the bench —it was signed by about 600 persons, and it named two Gentlemen who had been in the commission under the old corporation. Now, it was worth while to observe, that although the commissioners of corporate inquiry had ended their report with some severe remarks on the then corporation, nevertheless as to the administration of justice in the borough, they said, "the conduct of the corporate magistrates in the administration of justice was not called in question on our inquiry, and the absence of any complaint on the part of the numerous opponents of the corporation, sufficiently warrants the inference, that this branch of the municipal authority has been satisfactorily conducted," and it was, therefore, beyond dispute, that so far as the administration of justice was concerned, the numerous opponents had said nothing against the old magistrates—against the two whom the petition prayed might be added. But what followed? The noble Lord acknowledged the receipt of the petition, he directly appointed five out of the list sent up by the town-council, viz. four Radicals and one Conservative. He (Sir C. Douglas) would here observe, that it was not his intention to say one word against any of those gentlemen, and he would not have entered on this subject if obliged thereby to say anything which would affect their characters or hurt their feelings—they were all highly respectable—he only spoke of them with reference to the subject before the House, as being four of one party to one of the other, appointed by the late Government; he had met with great civility from them as well as from others of his opponents in the borough, and he was proud to acknowledge it in that House. Well, some time after, one of the four left the town—a gentleman who was now giving to the Hanwell Lunatic Asylum the benefit of his professional ability, and whose exertions there did him the highest credit—did the noble Lord then appoint one of these magistrates who had given so much satisfaction, for whom 600 of the people had petitioned? No, he added another Radical, thus leaving it still as four to one; so much for the late Government in this case, for he would not allude now to their appointments of charity trustees, though on that he should have much to say, when that subject came more regularly before the House. Now, as to the conduct of these magistrates, he would state some facts which had been represented to him, but before he did so, he begged again to disclaim all intention of saying anything to give them pain, or affecting their characters, for while he pointed to what they had done, he was ready to admit, that if a Conservative Government had made borough magistrates for party purposes in as exclusive and sweeping a way as the late Government had, so unjustifiable a number of any one party, Tory or Conservative would probably have acted in the same way; and he now said nothing of his opponents, he would not say of his own political Friends who under the same circumstances would act in the same manner—his complaint was against the late Government, and he would now shew that the magistrates they appointed, had, with regard to licensing public houses, acted in a similar way at Warwick as at Coventry. In 1841, the town-council (Conservative, though formerly Radical), sent a memorial to the magistrates, before the day appointed for granting licences, stating that so many liquor licences were injurious to the town; but the said magistrates disregarded the representation of the town-council, and granted fifteen licences, of which there were two to Conservatives, and thirteen to Radicals—there were previously fourteen Radicals; one went against his party—his licence was taken away, and the reason given was, that "the House was noisy." He stated these facts to prove, that although a large Tory majority might have acted in the same way, a majority of four Radicals to one Conservative had granted licences to public houses in the proportion of thirteen Radicals to two Conservatives, in a town where parties were nearly balanced, which showed political bias to an extent which was not to be justified, and also, that the addition of some magistrates of Conservative opinions, would tend to restore public confidence with regard to such matters. One word with regard to the late appointments—he was not ashamed to say he had made a communication to the Home-office on the subject, and he was sure, that the course taken by his right hon. Friend could not fail to give satisfaction to those who thought that the administration of justice should not be thrown entirely into the hands of one party alone. He had written to those capable of giving accurate information to this effect:—

> "That in consequence of the prevalence of Conservative opinions in Warwick, they ought to have a majority of borough magistrates he would not undertake to say, but he did think they were entiled to an equality, and he thought that such persons should be appointed as would neutralise the Radical majority which then existed."

Three gentlemen were finally recommended to the Home Secretary, one an old magistrate who had formerly given so much satisfaction, one a banker in the town, of property in the county, and much respected, and one a gentleman of independent fortune, also much respected, and who had never taken a very active political part in the borough. The addition of these three left the relative numbers thus—four Radicals, and four Conservative magistrates. The mayor and the ex-mayor were always ex-officio magistrates, they were annually chosen by popular election. The right hon. Baronet, therefore, had, in Warwick, left an equality, so far as party was concerned, and the casting voice to the people. What could be more fair, more just than to leave, in a case where the majority must be on one side or the other, the choice to popular election? He considered he had, so far as the boroughs in Warwickshire were concerned, made out a strong case against the late Government. The present Ministers had done that justice which the circumstances of the case called for, and he hoped he should be excused for having stated those facts, in connection with the subject, which had come to his knowledge.

Captain *Mangles* said, he should not detain the House long, but referring to what had taken place in the borough he had the honour to represent, he could not give a verdict in favour of the course pursued by the right hon. Baronet opposite (Sir J. Graham). A noble and learned Lord, in another place, had selected Guildford as a place in which an outrage upon the feelings of the inhabitants had been committed by the late Government, and the noble and learned Lord added, that in Guildford the majority of the respectable inhabitants belonged to the political party, that the noble and learned Lord was himself attached to, but that great partiality had been shown by the noble Lord in the appointment of magistrates for that borough. Now, he (Captain Mangles) thought he should be able to convince the House, that both these statements were inaccurate, and that a very different and far less justifiable course of proceeding with regard to that borough, had been taken by the right hon. Baronet opposite (Sir J. Graham). As to the assumption, that the politics of Guildford were entirely of a Tory complexion, the facts were these. In 1831, that borough returned to Parliament two Liberals; in 1831 it returned one Liberal and one Conservative; in 1835, one Liberal and one Conservative. In both these two last instances, the Liberal was considerably at the head of the poll. In 1837, for the first time, an hon. relative of his had been deposed from his seat (by what means was well known), and two Conservatives were returned, but in 1841, the borough had again returned two Liberals. Under such circumstances, it was a great deal too much to assume, that the borough of Guildford was of so Tory a complexion, that it was peculiarly unjust and unfair, that any preponderance of Liberals should be placed upon the magisterial bench. And now, as to the political opinions held by the magistrates appointed by the noble Lord (Lord J. Russell). Four had been appointed, two of whom (Messrs. Waugh and Hooker) had always, it was true, voted for the Liberal candidates, but were as little partisans, as it was possible for any men to be. They never influenced a single elector, and simply contented themselves by recording their own votes. The third was Mr. T. Hayden, a gentleman who, in 1837, did not vote at all, and, in 1841, had voted against him. The fourth gentleman appointed by the noble Lord, was Mr. Newman, a man respected by all who knew him, and a strong Conservative. These gentlemen were still living, but the right hon. Baronet opposite (Sir J. Graham) had thought it necessary to appoint two new magistrates. The right hon. Baronet had denied, that he had any wish to swamp the majority on the bench, or to invert that majority—but here, with two magistrates who voted for the Liberals, and two who voted for the Conservative candidate at the last election, he had appointed two more of his own party, Mr. Steadman and Mr. Joseph Hayden. Was that, or was it not, inverting the balance of power on the magisterial bench? Now, it so happened, that he had, like the hon. Member for Warwick, taken upon himself to recommend a gentleman for elevation to the bench; but what had occurred on that occasion? About a year and a half ago, Mr. Waugh was in ill health, and his life being despaired of, it was thought necessary to look out for a successor to supply the vacancy likely to be created by his death. He had ventured to recommend to a personal Friend, connected with the late Government, a gentleman in every way qualified for the office. The late Government knew, at that time, that he was a candidate for the borough — they knew it would be a close contest, and, therefore, they had every inducement, if so disposed, and if such had been the general tenour of their conduct, they had every temptation, to oblige him, and to serve, thereby, their own cause. To that recommendation, he had received an answer in writing, stating, that because the town-council (which was exclusively Tory) had not recommended the appointment, it could not take place—in other words, that the noble Lord (Lord J. Russell), when at the Home Office, had laid down as a rule, that magistrates should only be appointed on the recommendation of the town-council, that that rule would not be departed from, and that his friend would not be appointed, unless so recommended by the town-council.

Colonel *Sibthorp* would only remark, with regard to Lincoln, that the six gentlemen appointed as magistrates in that borough by his hon. Friends, were gentlemen, than whom none could be found more respectable or more strictly honourable and impartial in the discharge of their duties. Those gentlemen were, undoubtedly, Conservatives, but, notwithstanding their appointment, the Liberals still maintained a majority of three on the bench—a majority which might be always sustained at the will of the people, by whom the mayor, who was *ex officio* magistrate, was elected.

Lord *Robert Grosvenor* would state to the House, as shortly as he could, what had been the conduct of the present Government with regard to Chester. When the town-council were called upon to nominate persons to fill the office of magistrates, they had thought that they should best perform their duty by sending up to the noble Lord, then at the head of the Home Department, the names of all persons who at a ballot in the council had had twenty votes. There were names sent up of persons of various political opinions, and the Government might, if they chose—and they might have done so very justly, because liberal opinions were very much in favour in the town—have selected the majority of Whig principles. What was the fact? They appointed seven magistrates, three Whigs and three Tories, and a seventh, a gentleman whose opinions were very much in favour of the present Government, but who, considering himself under obligation to a family in the neighbourhood, never voted in opposition to their interests. Subsequently to that, the city of Chester was anxious to pay a compliment to a noble relative of his own, who, however, could never qualify nor act, and the town council wrote to the Home Office, with a request that his name might be added to the list, a request which was complied with. Since that time another magistrate, who was as well qualified for taking a seat in that House, he believed, as almost any hon. Member—whose appointment as a magistrate he had no hesitation in saying, was exceedingly proper, was placed on the list. One of the Liberal magistrates subsequently quitted the town, and then the number of magistrates was again reduced to the original number. Now, what possible ground could the right hon. Baronet have for appointing such strong partisans as he had since named. The right hon. Baronet had no notion of the mischief which he had done, or of the manner in which that measure was looked upon by all classes. The town-council was remarkably free from party politics, and so desirous was the present mayor, a gentleman of strong Whig politics, of excluding all such feelings, that he had refused to vote with his own party, on questions of addressing that House or the Throne. The House, he thought, would perceive the great impropriety committed in appointing six magistrates in addition to those already acting for this city. There having been no complaints either of insufficiency in point of number, or partiality in the administration of justice. The hon. Gentleman, the Member for Gateshead, had asked the right hon. Baronet on what principle it was, that these appointments had been made, but the right hon. Baronet had entirely avoided the inquiry, and the only principle on which he could suppose that he had acted was, that he had made these appointments because the gentlemen appointed were strong political partisans. The right hon. Baronet, the Member for Tamworth, had told him the other evening, that he had introduced a dangerous precedent in proposing that the Income-tax should be levied upon a scale, but he could not help thinking, that in pursuing the course of appointing political partisans to these offices, the right hon. Gentleman had adopted a still more dangerous principle. To the appointment of additional magistrates here and there, where necessity called for them, he should feel no objection whatever; but he could find no words strong enough to express his opinion of the wholesale appointment of men who had been useful during the late elections, to offices of so much importance.

Mr. *Martin* would offer a few observations to the House, with reference to the borough with which he was connected. In the borough of Newport, owing to circumstances which it was unnecessary to explain, the charter of incorporation was in abeyance, and it being requisite that magistrates should be appointed, their appointment took place under circumstances which rendered it peculiarly the act of the late Government. The persons whom they nominated were three Whigs and one Conservative. This state of things called forth a remonstrance to the Government, and then it was consented, that the commission should be amended, and a gentleman who was eighty-five years of age was placed on the list. The corporation being subsequently applied to, to send up the names of persons eligible to fill the office of magistrates, they named two gentlemen, of Conservative feelings, against whom nothing could be alleged, and although in the case of one of those gentlemen, the right hon. Baronet had not acted in pursuance of the recommendation, that recommendation was altogether rejected by the former Government, and it was no argument on these grounds to say that it was to swell the list of Conservative magistrates. So matters remained until the present Government came into power, when the corporation being again applied to for the names of new magistrates, they sent up those of the same gentlemen which had been before supplied. The Government abstained from appointing one of those gentlemen, because he was a practising solicitor, but they appointed the other, as well as a second gentleman who was a Conservative. Thus the number of magistrates was increased to six, three being Whigs, and three Conservatives.

Mr. *Lambton* could not avoid alluding to the language used in another place by a noble Marquess, as to the appointment of magistrates for the county of Durham. The noble Lord alluded to the appointment of these magistrates as being indicative of their being appointed for party purposes. It was stated in the course of the debate he alluded to,

> "With regard to the county of Durham, if the noble Marquess (the Marquess of Normanby) challenged the appointments in the boroughs, let him look to those in that county. Did he know the state of that county with respect to the magistracy? It consisted of about fifty magistrates, out of which only sixteen were Conservatives, and all the rest were Whigs. He had lately received a communication from a highly respectable gentleman at South Shields to this effect, that the borough of South Shields was happily not one of the municipal corporations, that the magistrates were necessarily those of the county; but, that with a population of 25,000 inhabitants, there was only one resident magistrate; that that magistrate was assisted by others residing in the neighbourhood, but that they were Whigs."

He did not attach much importance to this attack, and he should not have noticed it, had he not recollected that these appointments had been made by the late Duke of Cleveland; he therefore felt bound to rise and vindicate his memory. He was prepared to show, that in no instance could the charge of being actuated by party politics in the appointing those magistrates be fairly made against that noble Duke. Now, how did the case stand? Formerly the magistrates of the county were appointed by the Bishop of Durham as Palatine and Custos Rotulorum, and it was not until 1835, that a bill was brought in by his noble Friend near him, in which for the future he vested the appointment of magistrates in the Lord-lieutenant. He felt certain, that in no instance did the noble Duke refuse to appoint any person to the bench if duly qualified, in consequence of his political opinions. The noble Duke invariably attended to the recommendation of the chairman and magistrates at quarter sessions, and to that of the magistrates at petty sessions in the appointment of magistrates which he made, and it did so happen, that the two very last appointments which he made, were at the recommendation of the magistrates in session at Bishop Auckland, and these two gentlemen, whose names were R. Surtees, Esq., and G. Crossley, Esq., were Tories. This, he believed, had uniformly been the noble Duke's practice as regarded the county magistracy. With regard to South Shields, it so happened, that there were only one or two Tory gentlemen in the neighbourhood who were qualified to act, and at all willing to act. He had received this information that day from a gentleman well acquainted with the place, and who assured him that the Duke of Cleveland had never refused to appoint any magistrate to that place if qualified, and he expressed a wish to act. He felt it to be his duty to say this much with respect to the county magistracy, because it appeared to him, that the charge which had been made seemed to imply—although it might not have been intended—an attack on the memory of the late Duke of Cleveland. He was sure, that the whole body of the magistrates of the county of Durham, would confirm the statement which he had just made. The noble Marquess had also stated it was reported, that in Sunderland, the whole of the magistrates, ten in number, were Whigs, and they would not grant a licence for a public house to any but their own party. Now, this was a very grave accusation made against these gentlemen, and he thought, that the person who made it, should be called upon to prove it. He believed, that the Sunderland magistrates were perfectly free from the charge made against them. He called upon the party opposite to take steps to prove the charge. If they succeeded in doing so, he for one should hold up these magistrates, and he did not care who they were, to public censure; but if the charge was not made out, those persons were greatly to blame for bringing such an accusation against the magistrates of Sunderland. He must also express his deep regret at the language used in another place by a noble and learned Lord, and by the right hon. Baronet that evening, on the subject of appointing magistrates. Was it not distressing to see that noble and learned Lord rise up in the Lords with all the authority of the Woolsack, and to see the right hon. Baronet in this House rise up, to use his own words, "steeped up to the lips in party politics," and openly avowing that the rule that would govern them in the appointment of magistrates was a consideration of party feeling. He had been accustomed to hear the administration of justice and the law in this country held up to admiration; but what could be thought when such a principle was avowed in one place by the Lord Chancellor, and in that House by the Secretary of State for the Home Department. Was this the principle on which the magistracy of this country should be appointed? If those who now sat on his side of the House had acted upon this principle, and he admitted, that it had been shewn, that they had done so in some few instances, they had done wrong, but the conduct of the present Government had been much more erring. He trusted, that the right hon. Baronet, at the head of the Government, would employ his eminent abilities to see whether some better and more constitutional mode of appointing magistrates could not be devised.

Mr. *Tatton Egerton* thought a satisfactory answer could be given to the noble Lord (Lord R. Grosvenor) as to the appointment of magistrates at Chester. Till they were made, there was only one Conservative magistrate for that city, and he was a banker. In the four other municipal boroughs of Chester there was not one Conservative magistrate. In Stockport three new magistrates had been appointed last July, when it was notorious, from the elections which had taken place, that the fate of the late Government was determined. This, it was true, had been done at the instance of the town-council of that place, who had sent up a list of five names for appointment. He hoped, however, never to see the day return when the election of magistrates was to depend on the voice of the town-council. If this principle were to be acted upon, it was the surest way to perpetuate the continuance of party tribunals.

Mr. *Jervis* could imagine that the right hon. Baronet had been misinformed as to the state of the magistracy in many places; and, therefore, had been induced to act erroneously. He knew that this had been the case with regard to Chester. The appointment of six new Tory magistrates for that city, had excited a strong and general feeling of disapprobation amongst its inhabitants and even amongst the partisans of the Government. He did not believe that such appointments could have any effect in Chester in the election of Members to that House, as the Liberal party were too strong to be shaken. With respect also to the political opinion of the town-council of that city, he did not know, and he believed his noble Colleague did not know, what was the predominant opinion in it. This, however, was certain, that the recommendation of the appointment of the new magistrates had come from the disappointed party in that city; but the odium of the appointment rested with the right hon. Baronet. With respect to the present motion, he thought that his hon. Friend had adopted a sound course in bringing it forward. The right hon. Baronet rejoiced that the motion had been made, as it afforded him the means of explanation. The right hon. Baronet said, that he was gratified in having the opportunity of answering the trumpery charge which had been made against him; but his language and conduct did not show an absence of angry language and paltry allusions. He could hardly understand what the right hon. Baronet meant by his calm answer, when he indulged in the expressions which he did, most of which were utterly irrelevant to the subject, and many of which were evidently intended to cast a slur on his hon. Friend the Member for Gateshead, and to wound his feelings, and obtain a party cheer, rather than to carry conviction to the minds of his hearers. He hardly knew how to describe the conduct of the right hon. Baronet, as regarded the language which he had used, and the terms of vituperation which he had indulged in towards those with whom he had formerly acted. What did he mean by the constant iteration of the term Whig-Radical? This was nothing more nor less than a coarse and vulgar term of party ribaldry. For his own part he did not care about the application of the term to himself, but he could not help marking the *animus* in which it had been used by the right hon. Baronet. He could not forget that the right hon. Baronet was formerly one of the most violent of those whom he was now pleased to term Whig-Radicals, and this he presumed, the right hon. Baronet thought, was as an excuse for his own tergiversation in turning from the party to which he then affected to belong, and acting with those whom formerly he would not have designated by the mild term "Conservative." The right hon. Baronet opposite had not fallen upon one Whig in his appointments. He seemed to have avoided them by intuition. In his 400 appointments he had not selected a beneficed clergyman or a brewer. Did the right hon. Baronet wish to give confidence to his own party, the Conservatives, in every borough which he meddled with, and enable publicans to vote without fear of losing their licences; or was his motive to insure votes by showing that the preponderance in the magistracy was on the side of the Conservative party? Whether it was so or not, however, the system of appointments followed by the right hon. Baronet, dissatisfied all who had occasion to apply to the magistracy for justice. If, however, as the right hon. Baronet argued, it would be improper to have brewers in the commission, or attorneys, or beneficed clergymen, or manufacturers in manufacturing towns, because they would have to decide upon questions of wages between masters and workmen—how came they to appoint in Congleton four gentlemen cotton and silk spinners, all of whom entertained Conservative opinions? He deprecated the system which had been pursued during the debate by the Ministerial party, of justifying their appointments by reference to those which had been made by the other party while in power. He thought that it was better to argue the case upon more general grounds. It was a most painful thing for a man closely connected like himself with the legal profession, to see purely political appointments made to offices involving the administration of justice. Such a system was to be dreaded even in courts of law, where the observations and comments of a whole Bar, and the great power of public opinion, were actively employed in checking any political predilections which might appear in the conduct of judges. But under the circumstances which surrounded and influenced municipal magistracies, without parties to keep them in check, and when they heard it openly announced that the object of some, at all events, of these appointments was to obtain political influence, it did seem to him that the country was coming into a very melancholy position. It was enough to condemn the Government to find appointments to judicial functions emanating from an avowed desire to promote the ends of party and partisanship; and when the charge was made against the right hon. Baronet opposite, he could only shield himself by attacking the noble Lord (Lord John Russell) for making appointments, the influence of which he was bound to counteract.

Mr. *Scarlett* thought, that in arguing the question, the Whigs had much better keep the general principles than descend to detail, for if there was any point of their conduct which would bear less examination than another, it was their conduct in the appointment of municipal magistracies. He could not conceive, when he heard of the motion, on what principle the hon. Mover meant to discuss it. He thought, that the right hon. Baronet, the Secretary for the Home Department, was in his conduct in the appointment of magistrates, as unlike the noble Lord opposite as he could possibly be. The right hon. Baronet had been only applying a remedy for the conduct of that noble Lord. In 1836, when the conduct of that noble Lord was under discussion in the House, some harsh terms were applied to it—terms which he would not repeat, but he did say, that if the former Government had deserted its duty, so as to destroy the confidence of the country in the administration of justice, such a fact was a good reason for the right hon. Baronet's attempting to restore it. The hon. Gentleman who had just sat down had talked about the country having fallen upon melancholy times, but he thought, that he knew as much of the feelings of the country as the hon. Gentleman, and he believed, that the appointments in question had given general satisfaction. Mention had been made of the case of Guildford, and he would beg to state the facts of the case. Guildford had a Conservative corporation at the period in question, and on their being requested to send up a recommendation for magistrates, to be appointed, they sent up the names of the members of the town council. Four of these members were Whigs, and of the number appointed three were Whigs, and the only Conservative was a superannuated old gentleman, who was incapable of acting; while the principal magistrate of the town was displaced, to the great injury of the interests of the place. He thought, that the appointments of the hon. Baronet were founded upon a proper system, and one which would give general satisfaction.

Mr. *Callaghan* would only say one word as respected some of the appointments made by the right hon. Baronet opposite in the place which he had the honour of representing. The Irish Municipal Corporation Bill had only come into operation since the accession to power of the present Government; and in its selection of magistrates for the city of Cork, he was bound to say, that a very great number of highly respectable names appeared, but among them were those of several parties who were objectionable, because they did not reside in the locality, and the appointment of such parties had given rise to much dissatisfaction. He could not but state, that among the gentlemen appointed for Cork were men of various political opinions, who deserved the full confidence of the people; the objection was, that many did not reside in the locality.

Lord *Eliot* was not prepared to enter into any discussion with the hon. Gentleman as to the merits of the appointments for Cork. The hon. Gentleman who had just sat down had fully admitted, that the appointments had not been made with any political bias. He had not before been aware, that any of the gentlemen appointed were objectionable on the score of their not residing in the neighbourhood, and he had had every reason to believe, that the appointments had been such as gave general satisfaction.

Captain *Fitzroy* could not help remarking on an unaccountable obliquity of vision on the part of hon. Gentlemen opposite, who talked about the "balance of justice", as if there ever had been any such "balance" preserved in the magisterial appointments when they were on the Ministerial side, as if the scales had been held in anything like a fair position. Why, had not one side kicked the beam? Had there not been an overwhelming preponderance on the side of the Whig-Radical party? and was it not perfectly just and reasonable in some degree to restore the balance? This had been done most judiciously by the present Government, to the entire satisfaction of the country generally. Was it not monstrous to hear Gentlemen on the other side talking of fairness, forsooth, when in one town the predecessors of the present Government had appointed to the magistracy eight of their own party out of nine and in another five out of six? He used the term "Whig-Radical" in reference to the party opposite advisedly. He thought the term best expressed that singular mixture of persons, that strange miscellany of opinions, which now prevailed on the other side. He thought the phrase aptly characterised a party which was neither "Whig" in the good old acceptation of the word, nor "Radical" in the view given by the enormous petition presented the other night with its millions of "signatures," yards of which he could personally testify were written in one hand: the party opposite, indeed, was of so motley a character as to be most fitly designated by the compound term "Whig-Radical." The hon. Member for Gateshead had been surprised by a smile from him. But when the hon. Member coolly stood up in his place and said, "I will undertake to advise the right hon. Baronet and the rest of the Government," he candidly admitted that he did smile, and, further, he owned that he might smile again, nay, that he might laugh outright, whenever he heard the hon. Member undertake, after his fashion, to advise and to counsel the first Minister of the Crown. He was inclined to own too, that he was not indisposed to laugh at the motion itself. When he came into the House, and saw the hon. Member rise, with so portentous a manner, he did think a motion of a solemn nature was to follow — that at least there would be a resolution recommending the impeachment of the Home Secretary. But,

"Parturiunt montes, nascitur ridiculus mus;"

indeed, in this case not even a mouse was brought forth, for a mouse has some life and spirit about it, but this motion was a nonentity, a mere demand for papers, which would be produced as a matter of course. Unworthy as the general affair was, however, of serious consideration, there was one point of the hon. Gentleman's speech to which he had paid marked attention, and which he should have risen immediately to reply to, had he not at the time been sitting in a retired part of the House, where he was quite unable to catch the Speaker's eye. He referred to that part of the hon. Member's address in which he had particularly referred to a near relative of his own. He owned that the allusions the hon. Member had made to that nobleman had filled him with extreme indignation, not because he was disposed to take offence hastily, but because the allusions were in themselves most unjust and unmerited. The hon. Member had said that that nobleman's high station, his political power and influence, his princely fortune, and his position in society, were all employed in a manner calculated to alienate rather than to gain for him the respect and the confidence of the majority of the influential inhabitants of the county of Durham. Now, when the hon. Member said this, he would take leave to remind him, that the nobleman of whom he had thus invidiously spoken had employed a princely fortune in building an immense harbour in the county, in working extensive collieries, and in erecting a magnificent mansion which it had taken years to raise from its foundations, thus giving occupation to thousands of labourers who might otherwise have been unemployed and destitute. No man could do so much as that without acquiring the respect and affection of those who resided about him; and although he did not profess to know much of the county of Durham, yet he was sufficiently acquainted with it to know something of the feeling of its inhabitants, and he could state, that at the county meetings which he had attended there were few names which had been received by with more regard and enthusiasm than the name of the noble Lord to whom the hon. Member for Gateshead had so invidiously, so unnecessarily, and so unjustly referred.

Mr. *V. Smith* would not attempt to follow the hon. Member who had last spoken in making invidious speculations on the nomenclature of parties, but he would content himself with recommending the hon. and gallant Member to apply his mind to devise some term by which the right hon. Baronet, the Member for Dorchester, and the other secesssors from the Whigs, might be appropriately described. He had come down to the House that evening, fully anticipating all that had occurred. He had expected to hear something said about Frost; he had anticipated the trumpery *tu quoque* defence which had been set up by the other side, yet he candidly owned that he did not expect that the right hon. Baronet would have been so oppressed by the arguments on that side of the House, as to have been obliged to reply to these charges by a series of sneers and inappropriate comments. He owned he was not much inclined to enter into the general question. In the first place, he thought it of too much importance to be entered on in discussing an isolated topic; and in the next, it appeared now to be pretty generally admitted that in the opinions of the Government, partisanship was the best and most proper qualification for a judge. He would, however, venture to ask the right hon. Baronet on what principle he had appointed the three new magistrates at Northampton. There were no circumstances which rendered such appointments either necessary or expedient, and he owned he could divine no reasons why they should have been made, except that the right hon. Baronet thought he ought to be consistent in appointing magistrates merely for party purposes at one place as well as at another. He had nothing whatever to say against the respectability of the newly made justices. As to their wisdom, however, that remained to be proved, and certainly the only official act they had hitherto performed, did not tend to show that they were the adopted of Minerva. As the House, perhaps, might be ignorant of what that important act was, he would take the trouble to blow the trumpet for the new justices of the peace. The House must know, that on the occasion of the Corn Bill being introduced by the right hon. Baronet opposite, some of the boys of Northampton had thought it right to burn the right hon. Baronet in effigy. The usual process was going on quietly enough, when the new magistrates, no doubt thinking that as they had been appointed by the Government, they were bound to protect the Prime Minister from being burnt in effigy, galloped off to Weedon barracks and called in the military. Perhaps, never had the right hon. Baronet received so great a compliment as he had been paid that night, for the mob of boys having been completely routed, a military guard was stationed, not over the right hon. Baronet himself, who might have been very dangerous, but over his effigy, which was a very harmless thing of straw and parchment. Certainly, therefore, whatever he might be disposed to say of the respectability of the new Northampton magistrates, he could say very little as to their wisdom. But, leaving them to display better judgment hereafter, he would only add, that he had heard the speech of the Home Secretary, he would not say with disgust, but with the bitterest regret, and he would take leave to tell the right hon. Baronet that he knew nothing more calculated than that speech to confirm the views of the Chartists as expressed in the petition discussed the other night, "that that House represented parties, and not the general opinion and feeling of the nation."

Mr. *Wakley* agreed with several hon. Members who had spoken in the course of this debate, that the motion before the House was unworthy of its subject. It was a small motion, and an exceedingly large question. When a question of such importance was opened in that House, it was well, that they should be bound down in the expression of their opinions, to some clear, understood, and well-defined principle. Now, it would be impossible to say what would be the opinion expressed by a motion of this kind. It was scarcely right, for when a charge so serious was brought against a Minister of the Crown, that Minister ought to know what it was he was called upon to answer. The House, also, ought to have an opportunity of expressing a decided opinion upon that Minister's conduct. In this case, it would be impossible, that they could express that opinion, for the motion was only for papers, which even the Home Secretary acknowledged it just to produce. At the same time, he admitted, that the motion was calculated to have a useful effect on the minds of the people. There had been quite enough of crimination and recrimination on both sides, so just let him call their attention to the question, "What are the allegations against the Government?" It was said, that the Home Secretary had employed his power for a political purpose —for a political purpose, too, having reference to the administration of justice. This was a serious—a very serious allegation. He owned, he was not altogether satisfied with the answer to it. And why not? Because the right hon. Baronet's answer was this—"I have not done quite right myself, but you have done a great deal worse." Now, he thought, that was not the sort of reply which ought to have been given. He was sure the right hon. Baronet would think so too, when he came to consider it. The reply was unfortunate. The right hon. Baronet said, "You appointed political magistrates—it was my duty to counteract the effects of such appointments—I endeavoured to do so." How? By acting on the same principle? ["No, no."] They said "No," but what said the Home Secretary himself? He said, "I found 1,026 magistrates in commission, when I took office. Of these, 700 and odd were Whig-Radicals; 200 and odd were Conservatives or Tories." Then, he said, "How have I left them? how are they now? There are 1,435 magistrates—700 and odd of these are Whig-Radicals; 600 and odd are Tories or Conservatives." The right hon. Baronet left 61 unaccounted for. They might, when their politics were discovered, be added to the number on the right side. Well, if this was the state of things, who could deny, that they were curing one evil, by substituting another? And, then, what a precedent they were setting the next Government? ["Oh!"] Ay, they might say, "Oh," but they had not got a lease of office for life. The day would arrive, when the Radicals would have their turn. They must take an important step, then, to swamp the great evil the Tories were creating. Yes; and it was impossible to reflect on such a state of things, without pain. It was impossible to look at such circumstances without sorrow, and without regret. He did say, it was next to impossible, that the people could receive justice at the hands of justices so appointed. There must be conflicts between the magistrates on either side, for they must know, that they were appointed, not to administer justice, but to support a party. ["No!"] Was not that admitted? ["No."] What, did hon. Gentlemen again cry, "No?" What were the allegations of the right hon. Baronet, at the head of the Home Department? Did he not say, that the Whig-Radicals had secured a preponderance of power for their party in the magisterial department, and that it was necessary to correct that preponderance by appointing others of opposite principles? Now, he would contend, that from the statements made, it was evident, that both parties made their selection of persons to be appointed to the magisterial office, rather because the persons to be appointed were political partisans, than that they manifested high mental and moral qualifications for the discharge of the magisterial duties. Was it not disgusting and disgraceful, in the last degree, to hear such notes as those which had been addressed to Windsor, with respect to the persons to be appointed to judicial offices? The questions contained in those missives, referred to the political opinions and partisanship of the persons to whom they related, and not to their mental capabilities, their intellectual acquirements, their moral worth, and the degree of respect in which they were held by their fellow-townsmen. No, these were not the questions or qualifications required. All that was required was to ascertain how far they were likely to go, as pettifogging intriguers and political partisans. This, it appeared, was the rule laid down for the selection of magistrates, and it was a rule which was acted upon by both parties. This was the practice of the Whigs and the Tories, and he hoped the right hon. Baronet, if he had occasion, in future, to refer to such cases, would not include the Radicals in the practice. Let him call the Whigs by their own name. There was no necessity for the super-addition of Radical—.

> "A rose
> "By any other name will smell as sweet."

Let the Whigs have the full advantage of their own name, but let not the Radicals be mixed up with them. The right hon. Baronet, too, dropped the ancient name of Tory, as if there was any change of persons or opinions in that party. Why change the word? It represented a great and proud party in the State. Were they ashamed of the name by which they were so long, so well, though, perhaps, not so conveniently known? Why take the trouble of using four syllables, when two would more expressively designate them? It was to be regretted, that there was not something more specific in the motion, which would render the object of it more tangible, and the present proceeding more intelligible to the public. Still, he did not regret, that the discussion had taken place, as it would serve to direct the public mind, and call public attention to the manner in which the appointments to the justice-seat were conducted by both parties. The people would learn by it, that they should have some choice in the selection of those by whom the laws were to be administered. The Crown should, at all events, be supposed to be above the influence of political motives in such selections as these. The inquiry should be into the mental and moral fitness of the parties to be selected, and the appointment should be made without reference to political opinions. If this were not done—if a different course were adopted—the consequence would be, that the public would necessarily be distrustful of, and dissatisfied with the Administration—and would conclude, that all the appointments, from the highest to the lowest, were influenced by the same political considerations. There was a political Lord Chancellor, political magistrates, political justices of the peace; indeed, politics ran through the whole course of justice from the fountain-head even to the very lowest point of the stream. The consequence was—it was well known, and he did not hesitate to say it—that we had incompetent judges upon the bench. He did not impute this as a fault peculiar to the present Government. It was common to all Administrations; whilst, at the same time, the country suffered, and would suffer as long as the system continued. The right hon. Baronet, now at the head of the Government, was sufficiently powerful, with his majority, to act upon a different principle. The 380 additions to the magistracy, was a tolerably good increase for so short a period. Government could now afford to go on with a more sparing hand, and it was to be hoped, that in future, intellectual and moral qualifications would prove a recommendation to office rather than political bias.

Sir *R. Peel:* The hon. Gentleman, who has just sat down, has, with that simplicity of character, so curiously blended with natural shrewdness, complained, that so important a subject, introduced in so vehement a speech as that of the hon. Member who brought it forward, should conclude with so contemptible a motion. Did it not occur to the hon. Member for Finsbury, that the hon. Gentleman who brought forward this question found it one of no little difficulty, and that he exhibited a good share of judgment and discretion in preferring to put on the paper this innocuous motion for circulars, rather than making a distinct charge? Suppose the motion to run thus:—"Resolved, that it is expedient, that all appointments of justices should be recommended by municipal councils, and that the Crown should in every instance adhere to the recommendations so made." Now, this resolution would not apply so well, for when the council happened to be of Conservative opinions, such a resolution would not be acceptable to hon. Gentlemen opposite. Or, if the hon. Gentleman framed his resolution in another way, thus,—"Resolved, that it has a tendency to shake the confidence of the public in the administration of justice, to select a majority of the magistrates from any one political party." Neither would that be a convenient course. It certainly would serve to bring the question to an intelligible issue, but it would not be convenient for the purpose intended. Neither of these modes would suit the hon. Gentleman. He first gave notice, that he should call the attention of the House to the question; and then, having revolved in his mind all the Parliamentary modes in which it could be brought forward, and having, it is to be presumed, elicited the opinion of his friends as to the course which he should pursue, he came to the conclusion, that the safest course would be to move for returns of circulars, the contents of which must be already known to everybody. Suppose, again, that the hon. Gentleman brought forward his motion in the following shape,—"Resolved, it is fitting, that in the selection of magistrates, the opinions of political partisans should be entirely excluded, and that the Crown, without reference to town-councils or others, select those whom the Crown conceives best fitted for the office." If the hon. Member brought forward such a motion, I could vote for it, the hon. Member for Finsbury could vote for it, but surely such a resolution could not be supported by those who think political bodies are the fitting persons to recommend to such appointments. It is true, that living as we do under free institutions, we must submit to some of the inconveniences with which those institutions are necessarily attended. Under these circumstances, all appointments must be, in some degree, tainted by political predilections. If the Government were despotic, if our institutions were arbitrary, if public opinion possessed no influence, we might escape the evils attendant upon party feeling, and might be able to find and to select candidates for the magistracy free from party leaning or political bias. But if, as I believe they do, the advantages derived from free institutions and a free Government infinitely outweigh those pertaining to a despotism, we must expect and endure the evils inherent in such free institutions. It is in a society, such as this, constituted under these institutions, that men like Lord Lyndhurst can elevate themselves from the lowest point of their professional rank to the very highest. The hon. Member for Finsbury should not forget what advantages these institutions are capable of conferring on men in his and in my position. Looking at the present Lord Chancellor of Ireland, and at the holder of a similar office in this country, and seeing, that they are positions to which men in our own class may aspire, we should not dwell too much on the evils inalienable from free institutions, nor discard them for the purpose of realizing some of the advantages pertaining to despotic Governments. The hon. Member for Finsbury and others misrepresented, or perhaps, misunderstood, some expressions used by a noble and learned Friend of mine in another House, as well as those which fell from my right hon. Friend the Secretary for the Home Department. We do not defend the appointments which we have made upon the ground that it was desirable to have political partisans amongst the magistrates; on the contrary, we endeavour to exclude as much as possible, anything like partisanship; but whilst our institutions are free, it would be utterly impossible to effect that object. It would be possible to substitute, instead of an unpaid magistracy, professional men of greater learning or acquirements, paying them large salaries; but even then, whilst our institutions continue as they are, you cannot altogether exclude political feeling. Such a class of magistrates must be appointed by the Government for the time being, and any unpopular decisions or judgments at which they might arrive would render them as liable to the imputations of partisanship as those who now receive no other reward than the consciousness of administering equal justice to the best of their power to all classes of her Majesty's subjects. In a country like this, let the magistrates be constituted as they may, it will be impossible to keep them clear from the suspicions of political bias which must necessarily attach to them. The ground of justification which we assume is this:—If we find magistrates, no matter from whatever motives, taken chiefly from one political party, and in many towns predominating in a degree not justified by the example of the predecessors of the Government by whom they were appointed, we hold it best for the security of the administration of justice, and the estimation in which it should be held by the people, to make the balance more equal between the two parties. We say to them, "We cannot strip you of your political prepossessions and prejudices, but we will take the best security in our power to guard against any abuse of your office to which those prepossessions might lead, by placing upon the bench men who hold political opinions different from yours." This, surely, is no recriminatory course. This is no *tu quoque* argument. I do not defend the appointments on that ground; but I do say, that an approach to an equalisation of the magistracy has a tendency to beget in the public mind a confidence in the administration of equal justice, for it is impossible for the public to suppose that the law can be equally administered when the administration is confined exclusively to the hands of one political party. My right hon. Friend has been accused of shaking the reliance of public opinion on the pure administration of justice, by procuring a preponderance in the magistracy for the Conservative party. One hon. Gentleman says, that in the borough of Guildford there were three magistrates who did not belong to any party, though they voted for him, and that they were men of moderate politics. He said, that two more were added, and now that there was the enormous disproportion of four Conservatives to three of the opposite party, all confidence in the administration of justice was gone. Then it was stated that in Northampton there were six magistrates on the Liberal side, and three on the Conservative; that on the 9th of May three more were added, and since then the people became dissatisfied, and doubtful of the impartial administration of justice. The magistracy there is now equally divided, and yet dissatisfaction is felt. The hon. Member for Salford said, that there was a decided majority of Liberals on the bench there, but though the magistrates and the community were of Liberal opinions, they would like an addition of Conservative magistrates. In this, I am of opinion they think justly and wisely, for such an addition would tend to remove any impression which may exist of there not being an equal distribution of justice. These are the principles upon which Government has proceeded in its appointments to the magistracy, and the new selections were made to remove the impressions which might be created where the preponderance of the Liberal over the Conservative magistracy were strikingly great. Let us take the instance of a large town, and let me ask, not for any purpose of recrimination, what is the impression likely to be created, if I find such a state of things as that even impartial and intelligent men are of opinion that the preponderance is too great to permit the administration of justice to be impartially exercised? Is it not right, when we have the power, so to alter the balance as to produce more equality? Why, even on your own principle, something ought to be done to remove the impression which the inequality has produced. Let me take, for instance, Manchester, Liverpool, Birmingham, and Leeds. In those four towns there are 118 municipal magistrates. I know something of those towns, and if the magistracy were appointed in proportion to their wealth, their respectability, and their inclination properly to discharge the duties of the office, the preponderance of one party would not have been so great. The preponderance in these four towns must strike everybody. The number of Conservative magistrates was twenty, whilst the number of those of the opposite party was no less than ninety-eight. In Manchester, there were twenty-nine Liberals, and but four Conservatives. In Liverpool twenty-five Liberals to six Conservatives. In Birmingham twenty-seven Liberals to six Conservatives; and in Leeds the proportions were seventeen to four. This was, surely, anything but a fair proportion. You say they were recommended by the town-councils. What is it to me by whom they were recommended if the disproportions are so unfair and so unjust, and if the disproportion has a tendency to weaken public opinion as to the impartial administration of justice? It is no answer to tell me that the town-council representing a political party in the town recommended the nomination of these magistrates. It is true, that we who are now in power were then in a minority and represented the Opposition in Parliament; but that should not furnish a reason why the magistracy should be handed over to the nomination of the town-councils, and no stronger reason could be urged for retaining those appointments in the power of the Crown, than the impolicy of yielding them up to bodies of men lately engaged in frequent and warm political contests. Look, again at the proportions in some of the other large towns. In Bristol there were eleven Liberal to six Conservative magistrates; in Hull, eighteen to three; in Yarmouth, eighteen to one; and in Portsmouth, eleven to none. Out of sixty-eight magistrates, then, here are fifty-eight of one opinion and ten of another. Now, in a place like Portsmouth, where it must be notorious that there are men maintaining Conservative opinions of equal respectability, and in equal, or nearly equal numbers, perfectly qualified for the discharge of public duties, is that a satisfactory arrangement which in the case of a municipal magistracy, consisting of eleven men, takes the eleven from one side and excludes the other altogether? I will now take the county of Durham. There are three corporations in that county; Sunderland, Stockton, and Gateshead, and in the three there are nineteen magistrates, eighteen of one opinion and only one of the other—nineteen municipal magistrates, and eighteen of one opinion! In the county of Chester there are four coporations. What said, my hon. Friend who spoke to-night, referring to his own division? He said, there were four corporations and not one Conservative magistrate. Again, in the town of Stockport there are twelve magistrates, all of the same opinions. In Congleton, there are five, all of the same opinion. In Macclesfield, there are six, all of the same opinion. There is not one Conservative magistrate in those boroughs, and yet you say, you want to keep the magistracy free from the contamination of political party. Under the letters C and D, I find five boroughs in succession, not picked out from different parts, but following each other in alphabetical order:—Coventry, Dartmouth, Deal, Derby, Devizes. In those towns which return Members to Parliament, the inhabitants are subject to excitement from which towns not returning Members are free. In those towns opinion is necessarily much divided, and there are inevitable evils flowing from such a cause, though compensated by the infinitely greater advantages of the institutions under which they live. Party spirit, however, runs high; there is a blue and yellow party, which spend their time in abusing each other. The corporation prevails, their party gets the majority, and although those to whom they are opposed charge them with all kinds of corruption and bribery, they have the recommendation of the magistracy. The course of justice is to be bound hand and foot by the recommendation of these town-councils, and this, too, in places where animosities of the election are annually revived by the registration. The consequence of acting on that system is, that in Coventry, there are twelve magistrates all of one opinion; in Dartmouth, there are six, all of the same opinion; in Deal, there are four, all of the same opinion; in Denbigh, there are four, and in Derby eight, all of the same opinion. In Devizes, there are ten magistrates, but that is a happy exception, for there are nine Liberal, and absolutely one Conservative. So that in those six towns, which I have taken from this paper, to which any one may refer, on which they stand in succession—towns returning Members to Parliament, and torn by the dissentions inevitable in municipal contests, there are forty-four magistrates administering justice, forty-three of whom are of one opinion, and one only of a different opinion in politics. Now let us come to smaller towns in which perhaps political animosities are more intense than in the larger towns. I admit, that the list of towns I am about to read is a selection. In the eight small boroughs of Bridport, Hythe, Kendal, Maldon, Pontefract, Tiverton, Totness, and Truro, I find this happy arrangement of judical functionaries prevailing. I do not think it will be disputed that whatever superiority one party may have, still the defeated party has a right to have justice. They are not to be excommunicated or shut out of the pale of the constitution. Yet in those eight towns there are thirty-one magistrates, all of the same political opinions. There is not one single Conservative to break the uniformity of Liberalism among the magistracy. Need I go any further? Need I say, that a Government which attempts to redress this glaring disproportion, which attempts to give some influence to opposite opinions on the bench, is not justifying itself by the evil conduct of its predecessors, but is taking a course which is essential in order to produce some satisfaction in those communities with the administration of justice? If we pursued this course for the purpose of rewarding and encouraging political partisans we should be wrong, but if you charge us with that design, if you say, that by our appointments we have made the judicial function an instrument for gaining political power, if that charge be valid against us, with what infinitely greater force must it weigh against those who, in the places I have named, have confined the magisterial bench exclusively to one class. Now, what is the result to which this system has conducted? I think my right hon. Friend stated, that out of 1,026 magistrates, there were 745 of one opinion, and 226 of another. You say, the town-councils recommended them, that they must be supposed to be the appointments of the town-councils, the representatives of popular opinion. But I say, here again, it is right that popular opinion should determine political office, and that the minority should, as respects such matters, be bound by the majority. But that is not true of the administration of justice; it is not true that popular election should determine who are to be magistrates. It is no impeachment of the town-councils to say that they are tainted with political opinions. Naturally and necessarily they are so. We, their representatives, who appeal to them, set them the example. But if you are conscious that they are so far tainted by political opinions that they will recommend men for magisterial functions who exclusively entertain the same opinions with themselves, then the minority have a right to appeal to the Ministers of the Crown for protection; they have a right to claim that the injustice done to them should be redressed. The general result, then, is, that out of 1,026 magistrates there are 743 magistrates maintaining Liberal, and 226 maintaining Conservative opinions. I say that that distribution of power bears no proportion whatever to the extent of the qualifications possessed by both parties respectively to be intrusted with the discharge of judicial functions. I think I have heard, from good authorities, some such proposition as this,—that almost every man with 500*l.* a-year in this country is a Conservative. I have heard that, although I do not maintain any such doctrine; but, speaking of men qualified for the magistracy, when we know what are the prevailing opinions of men of intelligence, respectability, and wealth in this country—though I will not define the proportion they may bear to other opinions—I say that any system of selection, whether it be popular or not, that gives such a proportion as 226 Conservatives to 743 men of opposite opinions is defective, viewed with reference to its power of producing satisfaction with the administration of justice. I think it was said that my noble and learned Friend has attempted to abuse the power which he possesses by swamping, to use a vulgar phrase, the existing magistracy. Now, I will not enter into the details of particular cases. It would be unfair to judge the noble Lord opposite by particular cases; he may have been deceived—it was inevitable, perhaps, that he should be so in some cases; the town-councils may have recommended bad men to him, and in the same way it is possible that with respect to two or three places the intention of my noble Friend to restore a fair balance may have been disturbed. When a discussion takes place in this House as to facts occurring in a particular county, it is very difficult without personal acquaintance with them to form a correct conclusion. But this I will say, that with respect to the general result, so far from my right hon. Friend having used the power which his office conferred on him for the purpose of greatly disturbing this phalanx, and transferring judicial power from the Liberals to the Conservatives, he has left the balance in the hands in which he found it placed. He has left the municipal magistracy with 745 Liberals on the bench, while the result of his new appointments has been to raise the number of Conservatives to 629. But then, says the hon. Member for Finsbury, "What a bad example you are setting. When the Radicals come into power they will appeal to this precedent, and follow the example set them." Well, I hope they will show equal moderation. I hope their object will be, as that of my right hon. Friend has been, not to gain an ascendency of political power, but to redress an unfair and unequal balance. My right hon. Friend has left the power in the hands in which he found it; but he has not left the magisterial bench subject to the same imputations to which it might have been liable from the gross preponderance of one description of political opinion; and if the hon. Gentleman, speaking for the Radical party, and looking forward to its advent to power, will promise me strictly to follow our example, I, for my part, with the authority of the hon. Gentleman on my side, shall not be deterred from pursuing the same course we have hitherto followed. They must still be content, following this precedent, to leave the balance of power in the hands in which they found it. I am not in the slightest degree apprehensive as to the opinion the public will form on this subject. The hon. Gentleman fairly admits, that with respect to the character of the persons appointed he has no complaint to make. The hon. Gentleman can, of course, only speak from personal knowledge of the parties, but so far as that personal knowledge extends, he says the men appointed are a desirable addition to the magistracy, and perfectly qualified in every respect for the due administration of justice; all that disturbs him is that Dr. Alderson has been put at the head of the magistracy of the town with which he is connected. But if the hon. Gentleman has had some sleepless nights on that account, I shall, I hope, relieve him altogether from future anxiety by assuring him that Dr. Alderson is indebted for this enviable pre-eminence to the accidental circumstance that his name begins with the letter A. The returns on the paper for Kingston-on-Hull show that the second name is Barthwell, the third Beadle, the fourth Eddington. [Mr. *Hutt* complained that this was not the list to which he referred.] Oh, I beg the hon. Gentleman's pardon. I was trying, if possible, to relieve him from his anxiety, and so far as the paper before me goes, the names follow in alphabetical order. The hon. Gentleman, however, admits that so far as his knowledge goes, there is no question of the propriety of the appointment. All that the right hon. Member for Northampton has to allege is, that the magistrates lately appointed in the place with which he is most acquainted have no personal defect—that they are highly respectable, and that upon their appointment they naturally enough proceeded to the protection of an effigy before they proceeded to the protection of human beings. Being suddenly called on to perform these important functions, and, seeing an effigy about to be burnt (I really forget whether the rioters were free-traders or not—whether they were farmers, dissatisfied because they thought the Corn-bill did not afford sufficient protection, or others, who thought that it gave too much)—all I know is, there were riots, for which I am not responsible. But the magistrates being called on to exercise their functions, they exerted themselves actively, and, I believe, succeeded in rescuing the effigy. [" No, no."] Did they not? I thought they had. They, however, called in the aid of a troop of cavalry, and yet, such was the violence of the mob, that it appears, notwithstanding the presence of 150 troops, the magistrates did not succeed. But we have the testimony of the right hon. Member for Northampton, and of the hon. Member for Gateshead, and of other hon. Members, that so far as their own knowledge goes, and the appointments made are unexceptionable, these admissions go far in themselves to vindicate my right hon. Friend from any imputation of partiality. I beg, therefore, Sir, that I may be distinctly understood, that the ground we have taken up is, that my right hon. Friend has made a complete and satisfactory vindication of these acts, and that we do not rest the vindication of our conduct on the shabby plea of our opponents having done the same thing and worse. We have heard an admission from one of their avowed partisans, that their windows are completely broken. What we have done is to attempt to repair the damage. We deny that our windows, larger and more capacious and handsomer, have sustained any similar injury. We have attempted to repair the breaches made, and we rest our vindication of the additions which we have made to the magistracy on these grounds—that, when there is so great a preponderance in the magistracy of persons holding one class of opinions, though the men may be perfectly honest and just, there is yet a natural impression of uneasiness produced on the minds of those who had justice administered to them, when they see that these appointments are held through distinctions made from political motives. We cannot, perhaps, provide a complete remedy for the evil; but we have attempted at least a partial one—one that will hold out some chance of giving general satisfaction, and providing that the magisterial bench in certain communities shall not be filled by men holding one class of opinions exclusively; while in no case—at least in very rare ones—has my right hon. Friend given a preponderance to the opposite opinions. In the course we have pursued we have been actuated by no motive of mere political partisanship; our simple object has been to redress the unjust inequality existing, by making additions to the magistracy of men holding opinions opposite to those which held this unfair preponderance; and the persons whom we have nominated have been admitted to be men eminently qualified for the effectual discharge of their duties, and to be ornaments of the bench to which they have been appointed.

Lord *J. Russell* said, Sir, my hon. Friend, in the course taken by him upon this motion, has acted in conformity with that which was adopted by the right hon. Gentleman opposite in the year 1836. The right hon. Gentleman on that occasion neither brought forward a vote of censure, nor a general resolution, but moved for a list of magistrates, which could not be refused. I agree with the right hon. Gentleman that it would not be right to interfere with the prerogative of the Crown, but I do think that it is right to seek for such explanations as may inform us whether confidence should be placed in the conduct of the Secretary of State in respect of these magisterial appointments. Now, I will first state broadly what is the fact, and, secondly, the principles—the new and extraordinary principles—brought forward by the right hon. Gentleman. The late Government had established a magistracy, who were proceeding, as far as we knew, in the most satisfactory way for the administration of justice in the different boroughs. The right hon. Baronet, and those who objected to those magistrates on political grounds, all admitted that the gentlemen who had been appointed by the late Government were personally respectable and competent. But immediately after the late change of Government took place, there were 400 new magistrates appointed. Now, was not this, in itself, a most extraordinary fact? Did not this require explanation, that there should be so large an addition to the magistracy—a magistracy which, as far as the public, as far as the late Secretary of State for the Home Department knew—was fully adequate to the satisfactory performance of all its duties? Even the right hon. Baronet, the present Secretary of State for Home Affairs, and the right hon. Baronet at the head of the Government, thought it necessary to give some explanation of this proceeding. The right hon. Gentleman, the Home Secretary, answered by refreshing his memory with the debate that took place in the year 1836, and reproducing the charges then made, and, as I think, then satisfactorily answered. With respect to what has fallen from the right hon. Baronet, as to the appointment of Mr. John Frost to the magistracy, a person since convicted of treason, I took what I thought sufficient pains to inform myself of that person's fitness, having received a general testimonial in his favour from his townsmen, and having been informed by the Lord-lieutenant of the county that he was a fit individual to be appointed. But the right hon. Gentleman at the head of the Government takes up now the ground, which, if just, would be fully sufficient for his case, but which introduces a dangerous principle with regard to future magisterial appointments. The right hon. Gentleman said, that that was not an arrangement which would ensure public confidence in the magistracy when there was a large majority, in the proportion of about 740 to about 220 of one political party. The right hon. Gentleman states, that in certain towns nearly the whole, and in others all, the magistrates belonged to one party. He stated, that this state of things could not, and did not, afford satisfaction to the public mind, for the due performance and administration of justice, on account of the political opinions of the great and preponderating majority. Now, Sir, if this principle be taken to the full extent to which it goes, where will it end? Let us inquire what is the predominating proportion of political opinions amongst the county magistracy of this country? What was the state of the case with regard to the county magistracy, when Lord Grey's Government came into office in 1830, after a succession, during many years, of Tory Chancellors and Tory Lord-lieutenants of counties? I do not here impute to these functionaries any very great or unfair partiality in appointments to the magistracy; but I venture to say, that if my Lord Grey had, at that time, instituted an inquiry into the subject, the proportion of Tory county magistrates would not be 740 to 220, but much more nearly 1,000 to 100. Would it have been right of the Government of that day to turn round on these Gentlemen and say, that justice was not duly administered by them?—that the people had no confidence in them because they were Tories, and that 600 or 700 magistrates of Liberal opinions should be appointed to rectify the difference and redress the balance? Is that, Sir, the principle upon which a magistracy should be appointed? The right hon. Gentleman has substantially said it is. I contend that it is not. Take men from what side you may, if you select men of character and well-known integrity, who in themselves were unexceptionable, you had a security that such men would do justice to all parties, Whig, Tory, and Radical. In certain cases, where previously gross instances of partiality had been manifested, it was deemed necessary to do justice to men of liberal politics, who had been most improperly set aside; but for the late Government to have laid down a principle, that magistrates, in particular places, were not fit to administer justice, simply because they were members of a party of this or that side in politics, would have shown that government to have been unworthy of the public confidence. And yet that is the result of the right hon. Gentleman's principle, and the right hon. Gentleman has applied a rule of action grounded on it to the Liberals, which we declined at all times to apply to the Tories. The right hon. Gentleman throws overboard the ground of naming magistrates for the purpose of licensing public-houses, and he goes exclusively on the want of confidence in the administration of justice. But I ask you, Sir, what security does the right hon. Gentleman offer, that there will be more confidence in his appointments to the bench of justice than there has been in our appointments? or that the course he is taking will have the effect he anticipates. But the principle laid down by the right hon. Gentleman goes farther still; for, as far as I can see, it reaches even the judicial bench itself. When I was in office, the then Solicitor-general (now Mr. Baron Rolfe) was recommended to the Crown as a fit and proper person to be appointed to a seat on the bench, and was appointed accordingly. No complaint that I ever heard of has been made against him on the ground of his administration of justice. Since then another Gentleman (Mr. Cresswell) was recommended on the other side, and appointed to the bench in the Court of Common Pleas, and no fault whatever has been found with him in the discharge of his judicial functions. And yet both these Gentlemen were decided politicians in the House, and decided partisans. It is my firm belief, that if every Judge on the bench was equally impartial with Baron Rolfe, the Tories would feel a full confidence in his administration of justice. While on the other hand, if they were equally able and impartial as Mr. Justice Cresswell, the same confidence would be felt in him by the Liberals. But if we take the principle of the right hon. Gentleman, there can be no confidence even in these learned Judges; and, to inspire it, we should have an equal balance of Whig and Tory on the bench—say half Whig and half Tory in the Courts of Queen's Bench and Common Pleas, with a few Radicals in the Court of Exchequer. The right hon. Gentleman, however, not only went further than I did, but he also quoted as against me more than I said. The right hon. Gentlemen referred to a circular issued by me to the municipal bodies in relation to the town magistracy. Now, Sir, I did not in that circular say, that the recommendation of the town-councils 'would in all cases be adopted. I merely stated, that they would have their due weight with the responsible advisers of the Crown. I did not say, that all the persons named by them would be appointed to the magistracy. I only said, that their nomination would have its due weight. The right hon. Gentleman says, that the town-councils, being decided political partisans, named in these cases political partisans of their own way of thinking, and therefore, that a corrective became necessary to such a state of things. Now, Sir, if that is the opinion, and those the views of the right hon. Gentleman, he should proceed at once, on his own principle, to take away the privileges of the city of London, because there the magistracy is selected in the same manner. And, more than that, he should also take away the privileges of the people of Scotland in municipal boroughs, because the magistracy is there appointed on the same popular principle. The right hon. Gentleman affects to despise the recommendations of the town-councils, because they are political partisans. In that, Sir, I cannot agree with him. I think, on the contrary, that persons having the confidence of the town council of their respective boroughs, possess some claims to consideration from that fact alone, and I do not know, on the whole, whether it would not be much better to make the practice in this respect the same as it is in Scotland. But, Sir, as I stated, the right hon. Gentleman should carry his principle further, and, if he despises the recommendations of the town councils, he should also despise the mode in which the magistracy of London are appointed, and make a corresponding change accordingly. I did, Sir, in some instances decline to comply with the recommendations of the town councils to appoint certain Conservative magistrates in their several boroughs, because I believed that such appointments would have given dissatisfaction to their fellow-townsmen, but when the right hon. Gentleman says, that I appointed only twenty Conservatives in Manchester, Liverpool, and two or three other great towns, I meet him by stating the fact, that out of this number not more than four or five were recommended by the town councils. In that instance, as in others, I did not attempt the right hon. Gentleman's favourite plan of a balance, but I thought the exclusion of Conservatives from the magistracy in these places was inadvisable, and I appointed them on my own responsibility accordingly. And when the right hon. Gentleman, in allusion to my conduct in respect to these places withheld this fact, I consider that I have some reason to complain of his candour and fair dealing. Sir, I shall not, at this hour of the night, go over all the list of my appointments, but this I will say, that the result of my advice generally was to give a more liberal complexion to the municipal magistracy in that respect than the town councils mostly desired. The right hon. Gentleman has entered into an examination of the political opinions of persons appointed to the magistracy, but that, after all, is very uncertain ground—such is the difference between men's views on the subject. The right hon. Baronet, and the hon. Member for Guildford, for instance, are at issue about the political party of one Gentleman, while the right hon. Baronet, and the hon. Member for Coventry are at issue about the creed of others; and I myself remember a case in Exeter, where a gentleman appointed to the magistracy was objected to by the Whigs as too strong a Tory, and by the Tories as too violent a Whig. Such is, and such ever will be, the consequence of attempting to draw such nice distinctions on the subject of party politics. Such are the circumstances that must ever occur in attempting to fix so unsteady a thing as the shade of political opinion. You have declared, however, to the whole world, and the right hon. Baronet has confirmed it, that the country has no reason to have confidence in the great body of the municipal magistracy, because they are of one shade of political opinion, and you, therefore, create a number of magistrates of another shade to restore that confidence. But, Sir, that is a lesson as easily learnt by one party in politics as by the other, and if you proceed on the principle, that a Liberal magistracy cannot be rusted with the administration of justice, because of their political colour, you will find that the Tories will not be trusted by the Liberals for the same reason. You introduce a new principle into the administration of justice, and it is not a sound one. I do not deny, that the town councils may have recommended a great majority of their own political opinions in the magistracy—persons in whom they had confidence, and whom they deemed worthy of the trust; but if the town councils change, you will have persons of other politics recommended, and you can then appoint them without objection and without blame. In the mean time I think you will have the administration of justice more correctly attended to than if you are to have two parties in the magistracy, placed there on antagonistic principles, and for the purpose of counterbalancing one another. The right hon. Gentleman alluded to a letter from Mr. Coppock to Mr. Voules, which he found in the newspapers. Now, Sir, I am not at all acquainted with either of these Gentlemen. I do not know who they are; and the letter, I presume, was intended to obtain information. But, with respect to one point in that document, I am bound to say that it was wholly unnecessary to make any inquiry about it—I mean the occupations of the Gentlemen in question, for it is the duty of the Under Secretary of State to write an official letter to the town-council on all such occasions for the purpose of asking that information. But, after all, what is there in this letter or the deduction drawn from it? According to the statement of the right hon. Baronet, four persons were recommended for the magistracy, and they were all appointed. Therefore, I cannot but think that this subject was introduced by the right hon. Baronet in his adroit way, as a make weight in favour of a weak argument, and for the purpose of raising a cheer on his own side of the House, in defending his own very questionable proceeding. The hon. Gentleman, the hon. Member for Durham, says, that I have changed my politics very much, and that my political opinions twenty years ago were very different from those I have expressed within the last twelvemonth. I am certainly not conscious of the extraordinary change which it is assumed my views have undergone. I did think that I was at least as consistent as the right hon. Secretary of State for the Home Department. It is about twenty years ago that I brought on the question of Reform in Parliament, and I recollect that I then stated that my proposal would not remedy the distress, but that it was intended to cure the practical evils of the representation. I was then a moderate Reformer and a Whig. I am nothing more than a moderate Reformer and a Whig at the present time. If I have ever been guilty of a deviation from those principles, I think it was in 1830, when the right hon. Gentleman now Secretary of State for the Home Department brought on certain motions for the production of the list of the Privy Councillors. I was induced by the eloquence and the captivating declamation of the right hon. Gentleman to follow him when he made the most violent denunciations against the Members of the Privy Council, and expressed too sweeping a condemnation of all those who formed it, without regard to politics or situation, and not remembering to make an exception in favour of those who exercised judicial and ecclesiastical functions. I do think that in voting for that motion, I gave a greater countenance to extreme radical opinions than was consistent with the remainder of my political life. I certainly admit, that with regard to that part of my conduct, I look back to it with regret, and admit my error. The right hon. Gentleman, I am quite sure, must now likewise repent of the course which he then adopted; for those against whom he uttered the fiercest denunciations are his present friends, colleagues, and supporters, and the party against whom he poured forth such indignant imputations; those whom he described as persons steeped in corruption; as utterly unfit for the trust reposed in them, and unworthy of governing the country on account of the total absence of all public virtue. This is the very party in favour of whom he has now appointed 400 magistrates. Therefore, although I may have somewhat changed my views in the course of twenty years, as the hon. Member for Durham says I have, and though I may have some votes to repent of as of too democratic a tendency, it is some comfort that my repentance can neither be so deep, nor my conversion so extreme, as that which is required by the conduct of the right hon. Gentleman.

Mr. *Williams* defended the conduct of the magistrates of Coventry. The statements of the hon. Member for Warwick were wholly unfounded, and if that hon. Gentleman knew the magistrates whom he attacked, he must have been convinced that they were incapable of the conduct which had been attributed to them. There was no more respectable body of men in every point of view, and however high ran party politics, their administration of justice was above suspicion. The selection of the magistrates had been made before the election, at which he first stood candidate, and if they had voted for him at the last election, he was glad to hear that they approved of his conduct since he first presented himself to their notice. He must say, that the noble Lord only acted in accordance with what he conceived to be a just principle, in taking the recommendation of the town-council.

Mr. *Collins* said, that it was a great injustice to charge partiality against the magistrates of the town which he represented. He believed—and he spoke from a thorough knowledge of the body to which he had the honour of belonging—that they were as honourable men as any in that House. As to the house which had been refused a license, he convicted persons who had concocted robberies in that House. Whether those who owned it were Tories or not he did not know. At all events they never exercised their rights in his favour, and he was quite willing to give his hon. Colleague the benefit of their support.

Mr. *G. W. Wood* wished merely to observe, that the right hon. Baronet, in stating what he did respecting the borough of Kendal, must have been misinformed.

Lord *Worsley* hoped he might be allowed to state what were not only his own opinions, but those of many other persons who resided, not only in his county, but in other counties adjoining—namely, that it would give great satisfaction if there was an alteration in the present system of appointing the magistrates. There were a great many clergymen appointed to the magistracy, who were objected to, because it was thought that when there were others more competent to perform the same duties, though not perhaps recommended by the Lord-lieutenant of the county, clergymen should not be selected. He had been speaking upon the subject to the Lord-lieutenant of his county, who said that it was not his wish to appoint clergymen to the office of magistrates, when he could get others equally qualified to do the duties, but he found it most difficult to procure such persons to whom the other magistrates would make no objection. He believed that if the yeomanry of the county—the men who lived on their property all the year round, and who were looked up to and respected in their neighbourhood, fully as much as the more wealthy gentry—were put in the commission of the peace, it would be far better than selecting clergymen, who, however worthy of such a trust, must often be mixed up with transactions which could not increase their popularity, or enhance the deference which the sacred character of their office should ever command.

Mr. *Strutt* observed, that it was a mistake to say that the eight magistrates, appointed by the Whigs in Derby, were all Liberals. One of these Gentlemen was a decided Tory. It was true that the remaining seven were Liberals; but why? Because they possessed the confidence of the majority, and precisely for the same reason that at this moment none but men of Conservative views held the office in the county. He had lived in the town of Derby, and knew as much as any man of its concerns; but he never heard the least complaint of the administration of justice under the Whig magistrates, or of any demand for the appointment of new ones. Against the personal character of the new magistrates he had nothing to say. He was ready to bear his testimony to their respectability. But this he would say, that though the unavoidable practice had been to appoint magistrates either resident in the town or connected with it by business, the present Government had been obliged to select two country gentlemen living in the neighbourhood, and another who held the situation of postmaster. He must add, that the addition of five magistrates was considered by the majority unnecessary, and that the change had given great dissatisfaction.

Sir *James Graham* asked whether the gentlemen alluded to lived beyond seven miles of the town.

Mr. *Strutt* answered that he was aware that the gentlemen were not disqualified; but what he complained of was, that a rule, which had been followed before and since the Municipal Act, had been departed from.

Mr. *Colville* said, that the two gentlemen referred to by the hon. Member for Derby lived within two short miles of the town, and had always taken an active part in its affairs. If the right hon. Baronet had looked through the whole county he could not have found two gentlemen better qualified to discharge satisfactorily the duties of the office to which they had been appointed.

Mr. *Strutt* said, that he had expressly stated that the gentlemen in question lived within two or three miles of the town. He principally dwelt upon the fact of their not being possessed of either the municipal or Parliamentary franchise.

Captain *Layard* said, that the right hon. Secretary for the Home Department having alluded to Southampton, he would take the liberty of acquainting the House with the state of things existing there, in relation to the municipal magistracy. The town-council of that town being Tory, the magistrates originally appointed were six Tories and four Liberals. One of the former died, and a deputation waited upon the right hon. Member for Perth to ascertain whether a Liberal could not be appointed in his place. The right hon. Gentleman's answer was, that Lord John Russell could do nothing of the kind, but would be guided by the recommendation of the town-council, and the result was, that a Tory, Mr. Barnard, was appointed. The relative numbers, therefore, still remained six Tories and four Liberals. Since the right hon. Baronet entered office three more Conservatives were appointed, in order, of course, to balance the scales of justice. In Southampton, therefore, there were at present ten Tory magistrates and three Whigs.

Mr. *Hutt* said, he would, at that late hour, trouble the House with only a few observations. The right hon. Baronet, the Secretary for the Home Department, had observed, that he would have expected him to have expressed himself with greater moderation, in consideration of his having come fresh from the Southampton committee. What did the right hon. Baronet mean by that allusion? What did he mean by that decent and gentlemanly allusion?—[" Order."]

The *Speaker* called upon the hon. Member to retract the word ungentlemanly.

Mr. *Hutt* explained that he had used the word gentlemanly. Whether he had conducted himself in the Southampton committee as became the Member of a judicial tribunal, he would not ask upon the right hon. Baronet to decide. He would, with perfect confidence, leave that question to be decided by the hon. Member for Newcastle and the hon. Member for the county of Devon, who were also Members of the same committee. He would leave the matter in the hands of the House, when his hon. Friend, the Chairman of the committee, should lay its report upon the Table. He could scarcely believe that the right hon. Baronet in attacking him intended to take an unfair advantage of the peculiar circumstances in which he was placed, which precluded him from making any explanations in defence. If such were the right hon. Baronet's intentions, he did not envy him his feelings. A great deal had been said about the trifling nature of the motion which he had submitted to the House. The right hon, Baronet was the first to remark upon that point, and he was followed by the hon. and gallant Member opposite (Captain Fitzroy), who had expressed himself deeply disappointed with the nature of the motion. He was surprised that the hon. and gallant Member should be dissatisfied on the occasion, because it had afforded the hon. and gallant Member an opportunity of talking about himself and his noble relative, and other matters which he was rather fond of talking about. The hon. and gallant Member had quoted the old line from Horace about the mountain and the mouse. Which of the two parties the hon. and gallant Member meant for the mountain, and which for the mouse, he would not inquire; but he trusted that the next time the hon. and gallant Member referred to what fell from him, he would quote his language correctly. He was glad to perceive that the right hon. Baronet the Member for Tamworth had entirely thrown over the defence advanced by the right hon. Secretary for the Home Department. The latter right hon. Baronet had adopted precisely the *tu quoque* defence, which he had deprecated in his opening speech. The right hon. Baronet had merely said—"You did wrong, and so we did wrong likewise." The right hon. Baronet had said a great deal about Whig-Radicals. It might be thought that that was a term from which he ought rather to have abstained; for, on one occasion, when he went to Hull, he found the minds of the people so debauched by the writings of the right hon. Baronet, that they refused to elect him, on the ground that he was not prepared to go as far as Sir J. Graham. That was in 1831.

Motion agreed to.

EASTBOURNE UNION—NEW POOR LAW.] Captain *Pechell,* previous to moving for the returns of which he had given notice, relative to the number of persons committed to prison for offences in union workhouses, presented a petition from a man named William Smith, of Wilmington, stating that the depositions set forth in a pamphlet by Mr. Brooker, were correct documents and referred to the case of the petitioner. Such practices as those described in the petition were not likely to bring the Gilbert unions under the operation of the Poor-law Amendment Act. Neither would the neighbouring town of Brighton think it desirable if such was the treatment the poor were to receive. The hon. Member for Sussex having stated that the charge made by Mr. Brooker was a libel, and he knowing Mr. Brooker to be a very respectable gentleman, had now, for the satisfaction of the House, presented a petition from the man who had suffered, and who therein stated his willingness to prove his allegations upon oath. He knew none of the parties except Mr. Brooker; but if the right hon. Baronet would institute an inquiry, which he ought to do, the parties were ready to give evidence as to the management of these union workhouses.

The *Speaker* intimated to the hon. and gallant Gentleman that the petition was informal, as it related to matter spoken by an hon. Member of that House in the debates of the House. It must therefore be withdrawn.

Captain *Pechell* said, of course, if the petition was informal, he must bow to the decision of the Chair, and withdraw it. As the petition came from an agricultural labourer, who was ignorant of the forms of the House, he hoped that the error would be regarded with leniency by the House. He should not have presented the petition, but that it was intended to support certain statements which had been termed libels, and had not the Member for East Sussex been in his place. He now begged to move for the following returns:—

"A return of the number, names, and ages of all persons committed to any prison in England or Wales for any offence in an union workhouse established under the provisions of the Poor-law Amendment Act; stating the nature of the offence, the period of punishment, the name of the union, and the number for each union, and for each year, from the 25th day of March, 1835, to the 25th day of

March, 1842, with the population of each union, according to the last census. Similar return for offences in workhouses of parishes and unions governed by guardians, vestrymen, or parish-officers, under local acts and 22 George 3rd., c. 83, known as Gilbert's Act, or not included in any Poor-law union."

A complaint had been made at the quarter sessions lately held at Lewes, of the crowded state of the House of Correction which was intended to accommodate 130 persons, whereas there were 200 confined in it. Since October last the committals exceeded by sixty-three the number during the corresponding period last year, and the increase was entirely owing to cases of running away from workhouses. Between October the 1st, 1841, and April, 1842, seventy-two able-bodied men had been committed; and a magistrate while on the bench observed, that he saw six men from the Cuckfield union-house committed at one time. These facts would afford a good introduction for the motion the right hon. Baronet intended to make for leave to bring in a new bill to continue the powers of the Poor-law Commissioners. If the right hon. Baronet intended to bring all the parishes now under local acts and the Gilbert unions under the operation of his new bill, he ought to show that the management of these Poor-law workhouses was better than the others. He would show that the Gilbert unions and the parishes under local acts were considerably better managed; people did never run away from them, with the exception of an idle boy occasionally, nor was it found necessary to send any of the people to prison. But seventy-eight able-bodied men from one union alone in Sussex had been committed. It appeared that there were upwards of 100 unions not yet subjected to the prohibitory order; so much for the uniformity of the law. It appeared that there were in the Gilbert unions 182,475 persons, and 191 parishes; and the towns under local acts comprised a population of 1,282,652; so that altogether there were 1,455,127 persons altogether exempt from the control of the Poor-law Commissioners. That was a very large proportion of the population, although the right hon. Baronet seemed to make light of it. He hoped the right hon. Baronet, before he proceeded with his bill, would show that the management of these parishes was such as to call for legislative interference to bring them under the control of the Poor-law Commissioners.

Mr. *Darby* thought, that when persons were attacked in terms which accused them of being guilty of "moral and constructive murder," it was nothing more than fair that they should have notice that such serious charges were to be publicly alleged against them. He had stated that to the hon. and gallant Member before. He knew that Mr. Brooker's statements had been totally denied by the guardians, and he thought it unfortunate that the hon. and gallant Member should mix up cases like this with the general question of the Poor-law Bill. He did not object to the hon. and gallant Member's inquiries, but he objected to the hon. and gallant Gentleman bringing forward charges against parties without giving due notice of his motion. The individual whose complaint the hon. and gallant member had brought under the notice of the House when in the workhouse was attacked with illness—medicine was ordered, but he refused to take it. When he left the workhouse he expressed himself satisfied with the treatment which he had experienced. When asked to complain to Mr. Brooker, he refused to do so. The hon. and gallant Member had said that an insufficient supply of food had been allowed; this the guardians positively denied. No order was given, as the hon. and gallant Member stated, to lessen the supply of food. The allegation was perfectly untrue. He asked for a full and searching inquiry. The hon. and gallant Member had no right to bring forward, on the authority of the author of the pamphlet, so serious a charge as that of constructive murder. It was an extraordinary fact that no complaint was made to the board until Smith placed himself in communication with Mr. Brooker after he left the workhouse.

Captain *Pechell* said, that the author of the pamphlet was prepared to submit to any investigation. It was his wish that the Poor Law Commissioners should send a commissioner for the purpose of investigating the matter. He did not think the statements in the pamphlet more libellous than those which had appeared in the *Westminster Review* respecting the right hon. Baronet the Paymaster of the Forces and the hon. Gentleman the Member for East Sussex. In that review it was stated that the former Gentleman had ceased his opposition to the Poor Law Bill and that the hon. Member for East Sussex had ceased carping on the subject.

Returns ordered.

NEW WRIT FOR NOTTINGHAM.] Mr. *Godson* moved, that the Speaker do issue his warrant to the Clerk of the Crown, authorizing him to issue a new writ for the election of a Member to serve in the present Parliament for the borough of Nottingham, in the room of Sir George Larpent, Bart., who since his election had accepted the stewardship of the Chiltern Hundreds.

The question put.

Mr. *Brotherton* moved, that the House do now adjourn.

Mr. *Ward:* Considering the circumstances under which the writ is moved, the notice which has been given regarding it, and the importance of the motion, I must confess that I did not expect to see it moved at such a time in the morning, and in such a House. Therefore I shall have much pleasuse in seconding the motion of my hon. Friend.

Adjourned.

HOUSE OF LORDS,

Friday, May 6, 1842.

MINUTES.] BILLS. *Public.*—$1^{a.}$ Civil Bill Decrees (Ireland); Turnpike Roads (Ireland); Exchequer Bills; Punishment of Death (Ireland); Victoria Park; Dublin Police; Knightsbridge and Kensington Openings; Bribery at Elections.

Reported.—Parish Property.

3^{a} and passed:—Soap Duties Drawback; Timber Ships; Queen's Prison.

Private.—$1^{a.}$ Equitable Gas; Southwark Improvement (No. 2); Great North of England Railway; Northern Union (Newcastle and Darlington Junction) Railway; Bristol Floating Dock; Greenock Harbours; Kington Roads; Ellesmere and Chester Canal; Christopher's (or Manners) Estate; Pilkington's Estate.

$2^{a.}$ St. Philip's Bridge (Bristol); Liverpool Paving and Sewerage; Great Torrington Market.

Reported.—Northern Coal Mining Company; Granton Pier (No. 2); Saundersfoot Railway; Great North of England (Clarence and Hartlepool) Railway; Sir John Cass's Charity (Shaw's) Estate; Cottenham Drainage.

$3^{a.}$ and passed:—Buckland Inclosure; Weston-super-Mare Improvement; Cheltenham and Great Western Union Railway; Sheffield, Ashton-under-Lyne, and Manchester Railway; Glasgow and Redburn Bridge Road; Glasgow, Paisley, Kilmarnock, and Ayr Railway.

PETITIONS PRESENTED. By the Earl of Wicklow, from Dunganston, for the Encouragement of Schools in connexion with the Church Education Society (Ireland).—From Hinckley, Cobridge, Lichfield, Tichbourne, Bromsgrove, Bungay, Durham, Warwick, Lancaster, Chepstow, and other places, for the adoption of a measure the better to secure Religious Instruction to the Roman Catholics serving in the Army and Navy.—From Lees, Oldham, Fairbotham, Pendleton, Manchester, Paynton Worth, Hazel Grove, and other places, for the Suppression of the practice of employing Females in Mines.—From Sittingbourne, for Limiting the Hours of Attendance of Children in the Factories, and that their Religious Instruction may be properly attended to.—From Broughton, Warkton, and Cransley, for Repeal of the Corn and Provision Laws.—From the Mayors, Aldermen, and Corporations of Leeds, and York, for an Alteration of the Law respecting the Levying and Collecting of Local Rates in Corporate Cities and Boroughs in England and Wales.

EMPLOYMENT OF CHILDREN IN COLLIERIES.] The Bishop of *Norwich,* in presenting five petitions from Oldham, Chester, Pendleton, near Manchester, Leeds, and Lancaster, praying the House to take measures to prevent the employ of females in coal mines, begged leave to call the attention of their Lordships to the report of the commissioners for inquiring into the labour of children in mines, and the description it gave of the treatment to which women and children were subject in the mines of the north, where they were chained, according to the report, to their labour of dragging small vehicles loaded with coal through narrow apertures or passages, in which they were obliged to crawl upon their hands and knees, their garments drenched with water. It was not, however, to the physical labour alone to which he desired to call their Lordships' attention, but to the moral degradation to which these females from early years were exposed, associated as they were with the lowest profligacy and grossest sensuality. These petitions were, he believed, the first that had been presented upon the subject, and he hoped they would be followed by more, and that the degraded condition of these females would meet with their Lordships' sympathy.

Earl *Fitzwilliam* agreed with the right rev. Prelate as to the importance of the subject, but he thought also their Lordships would agree with him that restrictions upon the right of the subject to labour in any way he might wish, were not to be lightly imposed. He hoped their Lordships would maturely consider the important report alluded to, but that they would not legislate hastily. He thought, too, that before adopting any such legislation, they should take a view of the employment of females in other branches of labour. Was it clear there was no other labour in which females were employed to which similar objections might not be made. There were certainly practices set forth in the report which it would not be beyond the province of the Legislature to prohibit, but at the same time he was inclined to believe that those practices were very local, and did not extend generally to the collieries of England. He could himself give evidence that they did not generally prevail even in that part of the country to which his right rev. Friend had alluded. If they wished to protect children against labour, they ought not to confine their inquiries to the collieries, but to take a comprehensive view of the effect of labour upon those engaged in other branches of industry.

The Marquess of *Londonderry* thought, that the right rev. Prelate should have given notice of his intention to bring the subject forward. He protested on the part of the coal owners of the north of England, particularly those on the banks of the Tyne and the Wear, against the exaggerations of the right rev. Prelate, that females were chained and dragged in those channels or passages of communication in the mines. The right rev. Prelate had presented petitions from Oldham, Manchester, Leeds, and Chester. He did not pretend to speak of those districts, but with respect to Durham he could state, that the allegations were not correct. He did not deny, that boys were employed in the coal mines, but they were well used and carefully provided for.

The Bishop of *Norwich* explained, that he had merely alluded to those collieries to which the petitions referred, and in respect to those he had evidence that chains were attached to the females employed.

The Marquess of *Londonderry* was gratified to hear the explanation of the right rev. Prelate.

The Marquess of *Normanby*, to prevent misapprehension, begged to state that the commission had been appointed to inquire generally into the condition of children employed in manufactures, mines, &c. This was only the first part of their report.

Earl *Fitzwilliam* feared if the right rev. Prelate's speech should go forth to the public, the impression would arise that girls worked in chains in the collieries, which would be entirely erroneous. The chain was merely used to draw the vehicle containing the coals. Certainly the use of the chain was improper, and ought to be prohibited; but still the fact should be properly understood. Why should the inquiry be limited to children engaged in manufactures? Why not extend it to those employed in agriculture? [A noble *Lord:* That is a healthy occupation.] He might be disposed to question that. He believed that a boy engaged in a colliery, who had his belly full morning, noon, and night, might, perhaps, be more healthy than the boy who was the son of an agricultural labourer, and whose father earned no more than 7*s.* a-week, as was the case in some parts of the country, and who had no means whatever of instruction. If the inquiry were instituted in the one case, it ought to be in the other.

The Bishop of *Norwich* explained that the manner in which the chain was fastened on the persons of the females, was round the waist, which passing between the legs through a belt, they drew th corve through a narrow aperture on their hands and knees.

The Earl of *Winchilsea* was surprised to hear the doubt expressed by the noble Earl as to the relative healthiness of employment in agriculture and manufactures. If the noble Earl were to breathe the air of a cotton factory for sixteen hours, he would not have a very good appetite for his dinner. Let any one compare the situation of a boy engaged in a factory and one engaged in agriculture. Thousands and tens of thousands of children had been destroyed, in consequence of their being compelled thus to breathe an atmosphere unfit for respiration. The noble Lord, in conclusion, begged leave to present a petition from Sittingbourne, in the county of Kent, praying for a legislative measure to limit the period of time during which it should be lawful to employ children in factories. Should such a measure arrive from the other House, he, for one, was fully prepared to give it his support.

Earl *Fitzwilliam* repeated, that his own experience warranted him in saying, that there was not the slightest superiority, moral or other, in the agricultural over the manufacturing population. It was impossible for the people of Sittingbourne to have any but very vague ideas of the condition of the people in the manufacturing districts.

The Marquess of *Normanby* said, it was very possible that the people of Sittingbourne might have very erroneous opinions on the subject, but, if so, it was the more desirable that a commission should have been appointed, composed of persons competent to inquire into the subject.

The Bishop of *London* confessed he had listened with astonishment to the noble Earl's statement, that the condition of children in agricultural districts was not superior to what it was in manufacturing districts. There was no need of the publication of any additional reports to show what the condition was of the poor children employed in factories; the inhabitants of Sittingbourne, if they were able to read, had opportunities of forming quite as accurate an opinion on the subject as any of their Lordships; and he had hoped that no one would be deterred, by anything that might be said in either House of Parliament, from raising his voice against a system which was eating into the very vitals of the country. All the statistical returns connected with this subject went to show that the mortality was greater among those employed in manufactures than among those employed in agriculture. Whatever evils might exist among the labouring classes engaged in agriculture, those evils were fearfully aggravated among the manufacturing population; though he doubted whether their Lordships could form a very accurate estimate of the condition of classes from whom they were so far removed. The Legislature, however, was not only at liberty to step in and endeavour to remedy these evils, but was bound to do so.

Earl *Fitzwilliam* must still maintain his opinion that, with the exception of some benevolent individuals among them, who might have inquired into the subject, the inhabitants of Sittingbourne were not qualified to judge of the state of the manufacturing districts. If the poor, either agricultural or manufacturing, did not receive proper moral instruction, the church ought to be held accountable for the neglect.

Petitions laid on the Table.

ELECTION PETITIONS.] Lord *Brougham* said, he rose to call the attention of their Lordships to a matter of the highest importance. It appeared from the proceedings as they were recorded in the votes of the other House of Parliament, that the time had now arrived when it was his duty to bring forward the great question to which he had invited their attention towards the close of the last Session; the time had come for him to redeem the pledge which he had then given, that he would call their attention to the corrupt, illegal, and unconstitutional practices that prevailed, and that but too generally, in the election of Members of Parliament. As a preparatory step for moving for the appointment of a committee to undertake this important inquiry, he would now present a bill for furthering inquiry into bribery, corruption, and intimidation, at the election of Members to serve in Parliament; which, when passed into a law, would enable the committee to prosecute the inquiry; and if the bill were not passed, either in the shape in which it was now presented, or in some similar form, it was his clear and decided opinion, it would be wholly in vain to expect any good results from the labours of such a committee. He should have an opportunity of entering more fully into this subject when he came to move the second reading of the bill. Their Lordships would find, that the provisions of this bill went somewhat beyond those of similar measures. He proposed, not only to give protection to witnesses, and to persons who might have evidence to give on the subject, but he proposed to give a discretionary power to the committee to ensure to witnesses an absolute and unqualified indemnity, without which it would be impossible to carry any inquiry to a satisfactory result.

Bill read a first time.

CATHOLIC GRIEVANCES.] Lord *Clifford*, of Chudleigh, said, he had some petitions to present from various Roman Catholic congregations, but it was his intention simply to lay those petitions on the Table, though a misapprehension had gone abroad that he intended to make them the basis of a motion. The noble Lord then presented petitions from the Roman Catholics frequenting the chapel of Grafton Bromsgrove, in Worcestershire, with 150 signatures, complaining of certain grievances under which they laboured, and praying for redress. His Lordship presented similar petitions from Great Eccleston, in Lancashire; from Totness, in Devonshire; from Colport, in Staffordshire; from Tamworth, in Staffordshire; and from a place the name of which did not reach us. The noble Lord said, that there had appeared in the public papers an error of some importance. It was stated, on the authority of what had taken place in the other House, that 11,000*l.* were voted for the religious instruction of the army, and that of these 11,000*l.*, 7,000*l.* were devoted to the Roman Catholics. This statement, the petitioners said, was erroneous, as only 700*l.* were thus appropriated to the use of the Roman Catholics. With respect to the motion of which he had given notice, it was not his wish to provoke a discussion that might in the most remote degree shake the public confidence in her Majesty's Government in India, and it was, therefore, not his intention to make the motion, except at such a time as the noble Duke opposite might not deem inconvenient.

The *Duke of Wellington* said, the noble Lord might suit his own convenience, and he had not the least doubt that the House would give its patient attention to the noble Lord, whenever he might think proper to bring his motion forward.

Lord *Clifford* would then fix his motion for the following Tuesday.

Petition laid on the Table.

MAGISTRATES OF SUNDERLAND.] The Marquess of *Normanby* said, he had waited till the last moment, before the adjournment of the House, to put a question to the noble Marquess at the Table. He could not have imagined that party feelings could have so completely deadened the feelings of the noble Marquess as to induce him, after having made an accusation, containing foul imputations on the character of certain Gentlemen, and after having received from them assurances —as he knew the noble Marquess had —denying the charge brought against them, not to have taken, as the noble Marquess had in a proper and respectful manner been requested to do, the earliest opportunity of acknowledging his error. As the noble Marquess had not thought proper to take that course, he would not pursue the subject further, as the House was just about to adjourn, but would give notice of his intention of calling the attention of the noble Marquess and the House to the matter on Monday. He had received a copy of the communication which had been forwarded to the noble Marquess. It would be recollected that on a former evening the noble Marquess accused the magistrates of Sunderland of having refused public-house licences to every person whose political opinions did not coincide with their own. That was the statement made by the noble Marquess in his hearing, and since the noble Marquess had not thought proper to originate any explanation upon the subject, he gave notice that he would bring the matter before the House on Monday.

The Marquess of *Londonderry* felt no little surprise that after the melancholy exhibition which the noble Marquess had already made relative to the question of the municipal magistracy, he should endeavour to revive discussion on the subject, particularly after what had passed in another place last night.

The Marquess of *Normanby* rose to say, that he did not intend to revive the discussion upon the general question. He meant merely to call the attention of the House to an emphatic and explicit denial which had been given by the magistrates of Sunderland to a statement made by the noble Marquess on a former evening. Whatever terms the noble Marquess might be pleased to employ towards him, he might rest assured that nothing the noble Marquess could say would prevent him from discharging his duty.

The Marquess of *Londonderry* said, that what he meant was this, that the noble Marquess could not bring forward the statement which he, like himself, had received, without going into details respecting the magistracy of the boroughs which he had before animadverted upon—namely, Gateshead and Sunderland. It was perfectly true that six Whig magistrates of Sunderland had, in the absence of their Conservative brethren, drawn up certain resolutions, and called upon him to declare to them whether such and such a statement, which they had seen attributed to him in the *Morning Chronicle*, was correct. If it were the pleasure of the House, he would go into the matter, and he thought he would be able to prove that everything which he had stated to their Lordships was borne out by information in his possession; but he had yet to learn, and perhaps the noble Marquess, who had filled the office of a Secretary of State, would inform him, whether he, as Lord-lieutenant of the county, was bound to acquaint these six Gentlemen that a report of what he had stated in his place in Parliament, was or was not correct? He had come down to the House to answer, in his place, any question which the noble Marquess might think fit to put to him; and as the noble Marquess had given a notice on the subject for Monday, he would readily and cheerfully meet him; but he would not answer to the mayor and six Whig Members of the corporation of Sunderland for anything which he had said in his place as a Peer of Parliament. It would lead to great inconvenience if he were to set the example of complying with such a proposition. Those were the reasons why he did not think he would be justified in taking the initiative in any explanation which might be considered necessary. The noble Marquess had thought proper to say, that he was not acting as became a generous man. Now, he would tell the noble Marquess, that if he believed the statement he had made to be incorrect, he would be generous enough to admit it immediately, but he was firmly convinced that it was correct. He was ready to give any explanation which might be called for by a Peer of Parliament, but he would not reply to the six Whig magistrates; and he would like to know whether the noble Marquess would not act in the same manner if he were in his situation.

The Marquess of *Normanby* rose to address the House, when

Lord *Wharncliffe* rose to order. The noble Marquess, in giving notice of his intention to bring forward the question on Monday, had chosen to remark in a particular manner upon the conduct of his noble Friend. His noble Friend, naturally enough, had replied to the noble Marquess's observations. Under these circumstances, he trusted that the noble Marquess would allow the matter to rest where it was till Monday,

The Marquess of *Normanby* felt it impossible to allow forty-eight hours to pass over without making a few observations in reply to what had fallen from the noble Marquess. The noble Marquess had stated that the communication he had received was signed by only six magistrates, whereas it was signed by all the magistrates who were accused by the noble Marquess, with the exception of the mayor, who was at present in London. They denied the allegation of the noble Marquess, and put the noble Marquess in possession of facts which must have convinced him that his statement was incorrect. He really thought it would be better to proceed with the matter now, and would do so. The noble Marquess said, he would not answer for what appeared in a newspaper. Did the noble Marquess deny the words which were attributed to him?

The Earl of *Haddington* rose to order. The noble Marquess's course of proceeding was most irregular. The noble Marquess, not content with giving notice of his intention to put a question to his noble Friend on Monday, had commented with some severity upon his noble Friend's conduct. His noble Friend, finding himself attacked, naturally enough replied, and now the noble Marquess purposed to go at once into the matter instead of waiting till Monday next.

The Marquess of *Normanby* said, that having had an opportunity of denying, on the part of the Gentlemen accused, the truth of the noble Marquess's allegation, he had no objection to let the matter stand over till Monday. He must again express his surprise that the noble Marquess, after having received a denial of a statement affecting the character of persons who were not present to defend themselves, had not taken the earliest opportunity of either maintaining his allegation, or acknowledging that it was incorrect.

The Duke of *Wellington* said, that this disorderly discussion was the consequence of the noble Marquess having made some observations on the conduct of his noble Friend in not having, at the instance of certain persons, explained what had fallen from him in a debate a few nights since. Now, with submission to the noble Marquess, it appeared to him, that if his noble Friend had done that, he would have acted most disorderly. His noble Friend had been called upon by persons out of doors to explain what he had stated in his place in Parliament. They had not yet arrived at such a state of things as that in their Lordships' House. The noble Marquess, or any other Peer, might call upon his noble Friend for an explanation. That was the regular course of proceeding; but the noble Marquess, in blaming his noble Friend for not answering persons out of doors, was going beyond the practice of their Lordships.

Earl *Fitzwilliam* said, that what had passed had convinced him, that it was absolutely necessary either to adhere more strictly to such rules for preserving order as their Lordships already possessed, or to frame new ones.

Lord *Redesdale* said, that although he was not an old Member of the House, he could not fail to observe that their Lordships' proceedings were much more disorderly than when he first took his seat.

Subject dropped.—Adjourned.

HOUSE OF COMMONS,

Friday, May 6, 1842.

MINUTES.] BILLS. *Public.*—1°. Double Costs; Grand Jury Presentments (Cork).

2°. Fines and Recoveries (Wales and Cheshire); Incumbents Leasing (No. 2); Ecclesiastical Corporations Leasing (No. 2).

Private.—2°. Boston Harbour (No. 2); Birmingham and Liverpool Junction Canal (No. 2); Glegg's Divorce.

Reported.—National Floating Breakwater Company.

3°. and passed:—Great North of England Railway; Witt's Estate; Mieville's Divorce.

PETITIONS PRESENTED. By Mr. Villiers, from Leek, in Staffordshire, and from Manchester, for the Total Repeal of the Corn and Provision Laws.—By Mr. Aglionby, from Cockermouth, for the substitution of Affirmations instead of Oaths.—By Mr. Thomas Duncombe, from Bisley, Howden, Bromley in Kent, and Penrith, for Alteration or Repeal of the Poor-law Amendment Act.—From Salford, Pendleton, and many other places, against the Turnpike Roads Bill.—From Golden, Bansla, and other places, against the Fisheries (Ireland) Bill.—By Lord Worsley, from Cirencester, Winterton, Edinburgh, and Caistor, against the Property Tax.—By Mr. Turner, from Cornwall, against the proposed Reduction of the Duty on Foreign Oils.—By Mr. J. O'Connell, and Mr. Byng, from Hertwood, Oldham, York, Nuneaton, and Hammersmith, for Equality of Civil Rights for Roman Catholics.—By Sir George Strickland, and Mr. Hardy, from the West Riding of Yorkshire, for a Limitation of the Hours of Labour for Young Persons in Factories.—From Delting, Lerwick, Dunrossness, and Bury St. Edmunds, against Importation of Foreign Cattle.—From Stirling, for Alteration of the Salmon Fisheries (Scotland) Bill (No. 2).—From the Proprietors and Tacksmen of Salmon Fisheries, against Reduction of the Duty on Salmon.—From Glasgow, and Ayr, for Abolition of Church Patronage (Scotland).—From sundry parties, for Alteration of the present mode of Admitting persons to the Freedom of the Corporation of Dublin.—From Halesworth, for Better Observance of the Sabbath.—From St. Leonard's, Shoreditch, for Redemption of the Tolls on Waterloo, and the other Metropolitan Bridges.

SOUTHAMPTON ELECTION COMMITTEE.] Mr. *Redington* reported from the select committee appointed to try and determine the merits of the petition, complaining of an undue return for the town of Southampton, the following resolutions:—

"That James Bruce, esquire, commonly called Lord Bruce (now Earl of Elgin), and Charles Cecil Martyn, esquire, were not duly elected Burgesses to serve in this present Parliament for the Town and County of the Town of Southampton.

"That the last Election of Burgesses to serve in Parliament for the said Town and County of the Town was a void Election.

"And the said Determinations were ordered to be entered in the Journals of this House.

"House also acquainted, that the Committee had come to the following Resolutions.

"That James Bruce, esquire, commonly called Lord Bruce, and Charles Cecil Martyn, esquire, were, by their agents, guilty of Bribery at the last Election for the Town and County of the Town of Southampton.

"That Charles Combe Callan was bribed with 10*l.*, paid to his wife for him; that Joseph Whitmarsh was promised a bribe of 20*l.*, the whole or some portion of which was afterwards paid; that Joseph Redwards was bribed with 5*l.*; that William Andrews was bribed with 3*l.*; and that Giles Paskin was bribed with 3*l.*; each of them to vote for Lord Bruce and Mr. Martyn.

"That it has not been proved before the Committee that these acts of Bribery were committed with the knowledge and consent of Lord Bruce or Mr. Martyn.

"That the Evidence given before the Committee relative to an extensive system of treating carried on through the means of local associations, the payment of large sums to Chairmen and Colourmen, many of whom were voters, and the expenditure of a sum of money for the purposes of the Election, amounting to nearly 5,000*l.*, and therefore far exceeding the ordinary legal charges, is deserving of the serious consideration of the House.

"That the Committee feel they have been prevented from ascertaining the exact mode in which the whole of this money was expended, by the loss or destruction of the vouchers and other documents connected with these payments, especially in the case of William Rouse Mabson, who, after having been served with the Speaker's Warrant, disposed of those in his possession."

Report to lie on the Table.

"Minutes of the Proceedings of the Committee, and of the Evidence taken before them, to be laid before this House."

FREEMEN (DUBLIN).] Mr. *Gregory* presented a petition from Dublin, complaining of the manner in which freemen had been admitted into that Corporation.

Mr. *O'Connell* supposed, as this petition was directed against him personally, that he was entitled to say a few words upon it. It complained that he had admitted 1,400 freemen since he had been Lord Mayor of Dublin. That was true; but the petition did not state that he had admitted any one of the 1,400 without having proof before him upon oath. If the number of admissions were thought to be large, it could not be said that he had no precedent for what he had done; for it was a fact that his predecessor, the late lord-mayor, had admitted six hundred freemen in one evening. The petitioners did not allege that he had not applied the same rule and given the same facilities to all parties. They did not state, that he had rejected any improperly, or admitted any improperly; so that, in fact, although the petition was designed to operate against him, he thought he might take it as a sort of declaration in his favour.

Mr. *Gregory*, in explanation, begged to observe, that the petitions aid nothing about the number of freemen admitted, and merely prayed that such measures might be adopted as would insure the attendance of some person to superintend the admission of freemen.

Mr. *O'Connell:* All that the petitioners alleged upon that point was, that he had omitted to attend on one particular day: his attendance on that day was omitted in consequence of illness. If any one of the Gentlemen whose names were attached to the petition had written to him to say that they required his presence in Dublin, or wished a particular day to be appointed for the admission of freemen, he would have gone from London for the purpose.

Petition laid on the Table.

Southampton New Writ.] Mr. *Henry Baring* moved

> "That Mr. Speaker do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing of two Burgesses to serve in this present Parliament for the Town and County of the Town of Southampton, in the room of Lord Bruce, now Earl of Elgin, and Charles Cecil Martyn, esquire, whose Elections have been determined to be void."

Mr. *Ward* thought, after the report which had that evening been made at the bar, making very grave allegations not only against the agents of the late Members, but against a large portion of the constituency, affirming that many had been guilty of receiving bribes, and that a system of treating was found to prevail very extensively in the borough—that the House was bound not to take any further step upon the motion of the hon. Member (Mr. H. Baring) until the minutes of the evidence taken before the committee had been printed and placed before the House. When it was recollected that the House had been appealed to upon three several occasions, in reference to the proceedings growing out of the last election for this borough—when it was remembered, too, that the conduct of one of the Members of the House had been implicated in the course of the inquiry, he thought that the House had a right to claim full information of all that had passed before the committee, before it consented to take any further step. If there were any doubt upon the points to which he had referred, he would move (as there were only a very few Members in the House when the report from the Southampton Election Committee was made), that the report be read again at the Table, and he would subsequently move that the motion now before the House be adjourned until the evidence should be printed and laid before the House.

Mr. *H. Baring* stated, that he should not have the slightest objection to accede at once to the hon. Gentleman's amendment. He begged it to be understood that in moving for the writ on that occasion, he had been actuated by no wish or intention to take the House by surprise. He had apprised the Chairman of the committee (Mr. Redington) of his intention to move the writ, and that hon. Gentleman assured him that he had no objection to such a motion being made. He understood, also, that a motion which had been brought forward in the committee for suspending the writ had been withdrawn, and that there was no objection on the part of any of the Members of the committee to the issuing of the writ. He felt, therefore, that he had been quite justified in making the motion; but at the same time, he had no wish to press it against the wish or feeling of any Member of the House.

Mr. *H. Hinde* begged to second the motion of the hon. Member for Sheffield, that the report of the committee be read again, because he was quite sure, that the hon. Member would then perceive that there was no charge of general bribery against the borough of Southampton.

Mr. *Ward* had not said, that there was. The report specified nine cases only of bribery actually carried home to the parties; but it stated that a very extensive system of bribery and treating was carried on by means of local associations. But the best way of settling the point was to have the report read again.

The report of the committee read by the clerk.

Mr. *W. O. Stanley* begged to offer a single remark. The hon. Member for Marlborough (Mr. H. Baring), had stated that there had been some discussion in the committee as to the suspension of the writ. There was no such discussion. He made a motion to suspend the writ until the evidence had been laid before the House, but, finding that he was not supported, he withdrew it.

Mr. *Williams Wynn* gained his legs with great difficulty. Whilst he was rising, Mr. *Bernal* spoke to order, and expressed a hope that the right hon. Gentleman might be allowed to speak sitting.

Mr. *Williams Wynn* thanked the hon. Gentleman very heartily. If he were unable to stand, he should be most sensible of the indulgence of the House, which would permit him to speak sitting; but whilst he had the power to get upon his legs, he thought it better that he should conform himself to the ordinary practice of the House. With respect to the question before the House, he should have no hesitation in saying, that after such a report as had been made from the committee, he did not think it expedient that a motion should be made immediately for issuing a new writ. At the same time, whatever opinion he might, upon the first flush of the case, be disposed to form as to the suspension of the writ till after the evidence taken before the committee had been laid before the House; yet, as there was no recommendation to that effect in the report, he should be sorry to see the House adopt the proposal of the hon. Member for Sheffield without notice. He would, therefore, suggest to that hon. Gentleman the expediency of adjourning the debate rather than pressing his amendment.

Mr. *Ward* had no objection to adopt the right hon. Gentleman's suggestion. He would withdraw his amendment, and move that the debate on the question for issuing the writ be adjourned till Monday next.

Mr. *H. Baring* thought that perhaps the better way would be to withdraw the motion altogether, which, with the permission of the House, he would do.

Motion withdrawn.

Election Compromises.] Mr. *Roebuck* said, yesterday I gave notice that I should put a question to the hon. Member for Reading. I stated his name at the time amongst the names of other hon. Members, to whom also it is my intention to put the questions of which I have given notice. As I see both the hon. Members for Reading now in their places, I shall proceed without further preface to put my questions to them. In taking this course, I feel that I am justified by some extraordinary circumstances which have recently taken place in the town of Reading. It has been stated, that the hon. Members opposite have entered into a compromise respecting the controverted right to the seats which they at present hold in this House. I have heard also that they are cognizant of, and parties to, some such arrangement. Now, if they are not so, they will naturally be anxious to lose no time in clearing themselves from such an imputation; and as I desire through the character of those hon. Members to maintain the purity of this House and the dignity of our proceedings, I wish to put it distinctly to each Member to say whether or not he knows or has heard, of anything respecting the transactions in question. I have heard, and I have reason to believe, that the election committee in the case of the controverted return for the town of Reading has had its business put an end to by a compromise made on the part of one or both of the Members sent to this House as representatives of that borough. I have also heard and have reason to believe, that a bond has been entered into with their knowledge, if not in their name, to the effect that one or either of them, though both were declared by the committee to have been duly elected, should resign or vacate his seat by the acceptance of the Chiltern Hundreds, thus defeating the determination of the committee appointed to try the merits of the petition in their case, and thus committing a violation of the privileges of this House. With the most perfect respect, then, for the noble Lord opposite, I beg to inquire of him whether he is cognizant of or party to any arrangement by which it has been agreed, that he is to accept the stewardship of the Chiltern Hundreds, in order to vacate his seat, notwithstanding he had been declared duly elected by the select committee appointed to try the merits of the petitions presented to this House against his return, or whether by any other means he intends to vacate his seat, although duly elected to serve in Parliament.

Lord *Chelsea:* As the hon. and learned Member for Bath has put forward my name first in the list of those to whom he intends to put questions, I am prepared to be the first to state all that I have to say on the subject, and to gratify, as far as the short reply which I can give can gratify, the spirit of investigation by which the hon. Member seems to be actuated. Holding, as I do, a strong opinion as to the unreasonableness of putting a question to any hon. Member respecting a matter which relates solely to his private conduct and affairs, I am bound to decline giving any answer whatever to the question which the hon. and learned Member has thought proper to put to me. I hope and trust that the hon. and learned Member will allow me to express the great regret which I feel that any circumstances should have induced him to depart from the exercise of that sound discretion which on many occasions he has shown. Of this I entertain no doubt, that if he could change places with me he would follow precisely the same course which I have prescribed to myself. Sure I am that if I were the catechist and he the catechumen he would have no difficulty in producing excellent reasons for refusing to answer my interrogatories.

Mr. *Roebuck:* I now proceed with the same respect to put similar questions to the hon. Gentleman opposite, the Colleague of the noble Lord. [The hon. Member for Bath then repeated the substance of the questions above given, which he had previously put to the noble Lord.]

Mr. *C. Russell*: I altogether deny the right of the hon. and learned Member for Bath to ask whether I have any intention either to retain or to vacate the seat which I have now the honour to fill. I hold my seat in this House by as perfect a right as that which entitles the hon. Member to the representation of the city of Bath. I was sent here by a large majority of a numerous constituency. If there existed any doubt with respect to my conduct as a candidate, or any reason to question the propriety of my conduct as a Member of this House, then I beg leave to say that the subject would be matter for inquiry by the committee appointed to try the merits of the petition, and not for an investigation to be conducted by the hon. and learned Member for Bath. If we are thus to be catechised by the dozen, what hon. Member of this House will feel himself safe from being put to the question at any time throughout the whole duration of the Parliament? If the House should sanction a proceeding of this nature, I desire to know where it is to end? I do not hesitate to say, that if the House should be so ill advised as to endure anything of the sort, they will thereby make a great stride towards restoring, in its worst and most malignant shape, that jurisdiction which, not long since, this House wisely and deliberately renounced, and which, if resumed, the seats of hon. Members would again become the sport of party contention, personal envy, and inquisitiveness. In conformity, then, with the principle adopted by the House in giving up the jurisdiction to which I have alluded, and adopting the course of which the House seems to approve. I beg leave to decline answering the questions put to me by the hon. and learned Member for Bath; and I protest against the right of any one to draw any inference from such a circumstance. He has no right, personal or Parliamentary, to put such a question to me: and though I say that the House has no right to draw any inference from my refusal to answer, yet I leave the hon. and learned interrogator to draw whatever conclusion he thinks proper, and I have no doubt that his inferences will be quite as pertinent as his questions.

Mr. *Roebuck:* I am perfectly satisfied with that answer, and I shall now proceed to carry forward with the other Members whose names I have mentioned the examination which I have proposed to myself to institute, believing that if I hear aught detrimental to any hon. Member, I shall do that which must prove advantageous to the character of the House, by extending the inquiry as far as possible. In conformity with the rule which I have thus laid down to myself, I proceed to ask the hon. and gallant Member for Penryn if he was a party to, or cognizant of, any agreement by which he, in the month of July next, or anywhere about that time, is to accept the Chiltern Hundreds, although he had been declared elected by the committee appointed to try the validity of his election, it being notorious that acts of bribery were proved at that election, and I wish to know if he is cognizant of any such acts?

Captain *Plumridge:* The answer which I propose to give to the hon. Member shall be as brief as possible. I understand that a compromise has been entered into with respect to the petition against the return for Penryn; but I was not cognizant of that compromise till after it was made. I beg I may be allowed to finish this part of the statement. I say I knew nothing of it till after it was entered into, and I am not pleased with the arrangement. We are always taught that when we put our cases into the hands of lawyers, we must confide wholly in their advice, and submit ourselves in all respects to their guidance; but yet I must say that I think the compromise has in this case been made rather prematurely. I do not know that I can more fully answer the question which the hon. and learned Member has put.

Mr. *Roebuck:* I have to return the hon. and gallant Member for Penryn my best thanks for the candid and honourable manner in which he has answered my question. There is nothing by which he could do greater honour to himself, or confer greater advantage upon the country, than by giving the fair, candid, and manly reply which the House has just heard. In the same spirit as that by which I was governed in the former case I now proceed to put a similar question respecting the borough of Nottingham. Sir G. Larpent is not in the House, but I see the right hon. Baronet the other Member for the town of Nottingham in his place. I wish to ask him whether he has been a party to or cognizant of, or whether, being cognizant of it, he has taken any advantage of an agreement, or is about to take advantage of any agreement, of the following description:—that a sum of money has been paid down to avoid the investigation of the committee respecting the bribery alleged to have taken place at Nottingham; that a further sum has been paid down as a pledge, by which it should be permitted to an hon. Gentleman to walk over the course, as it is called; whether he has any knowledge of it, or whether any such terms, or anything approximating to them, had been come to?

Sir *J. Hobhouse:* I beg leave to say, that I do not admit the right of the hon. and learned Gentleman to put such a question to any Member of this House. I shall, therefore, not answer the question. I shall say no more, because I think no more is called for.

Mr. *Roebuck*: I quite agree with the right hon. Baronet, that nothing more is called for. Sir George Larpent is not now in the House. I am merely going to say, that about half-past twelve or one o'clock last night a motion, I understand, was made in this House that a new writ be issued for the borough of Nottingham, in the room of Sir George Larpent; for that he, since his election, had accepted the stewardship of her Majesty's Chiltern Hundreds. To Sir George Larpent, therefore, I cannot put the question which I have just addressed to other Members of this House. I now wish to make a similar inquiry of an hon. Friend of mine, the Member for Lewes. I am about to ask him if he is cognizant of, or a party to any agreement or arrangement by which the question of bribery at the election of Lewes is to be drawn from the consideration of the committee, so as to admit a Member into this House who was not returned by the returning officer, but who would come into this House by agreement? This is the only question I shall put to the hon. Member.

Mr. *Elphinstone*: I understand that a compromise has taken place with my hon. Colleague on the other side of the House; but neither directly nor indirectly have I been a party to any arrangement of the sort, nor have I any intention of accepting the Chiltern Hundreds.

Mr. *Roebuck*: I return my best thanks to the hon. Gentleman. I have now to ask the hon. Member for Harwich, or rather the two hon. Members, whether they are party to, or cognizant of any agreement by which either of those hon. Members is to retire from the seat which he now holds, by accepting the Chiltern Hundreds, for the purpose of letting another person into the House, and by those means avoiding the consideration of bribery before the committee?

Major *Beresford:* I do in one singular particular agree with the hon. Member for Bath, namely, that the present proceeding is most extraordinary. I know not of, still less do I acknowledge, any right which the hon. Member may claim to ask questions in this House respecting the private arrangements of hon. Members, and, therefore, I decidedly decline to answer the question. However, if the hon. and learned Member has any *primâ facie* case affecting me, or affecting my hon. Colleague, let him regularly bring it before a competent tribunal, and there I shall be prepared to defend my own conduct and to answer any charges which may be brought against me. Although I decline to answer questions put by an individual Member, I am perfectly ready to afford the House any information which, in its collective character, it may require. Let the hon. Member only come forward in the manner which I have suggested, and he may rest assured that I shall be perfectly ready to clear my character from the slurs which questions of this nature might be supposed to cast upon it, and I have no apprehension that if I should ever have occasion to appear before any tribunal, I shall be able to show that my character is free from all blame. Before an authorised tribunal I shall state everything that I know; and then, perhaps, the active curiosity which has suggested these questions may be satisfied. As I said before, I shall answer anything to the House, but nothing to the learned inquisitor himself.

The *Chancellor of the Exchequer* moved the Order of the Day for the House to resolve itself into a committee on the Income-tax Bill.

Mr. *Roebuck;* Upon that motion I think I am entitled to call the attention of the House to the notice which I gave yesterday, respecting the appointment of a select committee, and which is in these words:—

> "A committee to inquire whether certain practices connected with the trial of petitions presented to this House against the return of certain of its Members be not a gross breach of its privileges."

I think I am bound to bring forward this question with as little delay as possible; and I think also that I am entitled to bring it forward as a matter of privilege. I have heard certain statements respecting various Members of this House in connexion with election petitions. Those statements having come to my ears, and being anxious at all times to do every thing in my power to preserve the character of the House, I have thought it my duty to bring the matter under consideration, and it is, I conceive, entitled to precedence, as a matter of privilege. I have heard statements affecting the character of Members of this House, and I now demand of the House a consideration of the question; and I also respectfully request from the Chair a decision upon this point. I have heard imputations upon the characters of Members of this House—I desire to bring the case before the House; I am prepared to state the nature of the accusations. and to support them by evidence, and I ask from you, Sir, if I am not entitled to bring forward that as a matter of privilege?

The *Speaker*: If the hon. and learned Member for Bath desires to show that any Members of this House have committed any breach of privilege, the proper course for him to take, is to move that those hon. Members do attend in their places; that being agreed to, and the hon. Gentlemen accused being present, then if it appear that he undertook to show that they had been guilty of conduct which amounted to a breach of privilege, he ought to move that the matter be referred to a committee of privileges; but if he merely now intends to move for a select committee to inquire whether or not "a gross breach of privilege" has been committed by some Members of this House, I confess I do not think that that is such a motion as the hon. Member is entitled to bring forward as a matter of privilege.

Mr. *Roebuck*: I am prepared now to state the accusations which I mean to prefer; they amount to a gross breach of privilege; on those statements, so made, I think I am justified in moving for a committee of inquiry.

Mr. *Elphinstone*: If my hon. and learned Friend, the Member for Bath, has any charge to make against me, I hope he will state it at once, in order that it may at once be disposed of.

Mr. *Roebuck*: I am not quite sure, Sir, that you heard what I said. My voice is weak, and I have a difficulty in making myself heard. I say that I am prepared to state certain imputations against certain Members of this House. Those Members are almost all here, for I put my question individually to nearly the whole of them. They being at this moment present, I am ready in their presence, and before them, to state what I have heard, and what I state I myself believe, before I make my statement. I wish to bring under the notice of the House what I consider to be a breach of its privileges, and what is certainly a breach of the common law of this realm. And, Sir, stating as I do, my belief that what I shall bring before the House does amount to a breach of its privileges, I believe I shall be in order in moving for the appointment of a committee of privileges to inquire into facts which I shall state.

The *Speaker*: Certainly, if the hon. and learned Member for Bath states the facts he proposes to bring before the House of his own belief, I consider that he would be in order. But at present the House is in this position:—A motion has been made, that the Order of the Day for the committee on the Property-tax Bill be now read, and it will not be competent to the hon. and learned Member to make his motion, unless that motion be first withdrawn.

Mr. *Roebuck:* I do not wish, I am sure, for one moment to interfere with or to stop the course of the Government. If the right hon. Baronet at the head of her Majesty's Government thinks it advantageous that a question of privilege should be deferred to Monday, I am not prepared to oppose it.

Sir *R. Peel:* I was quite prepared to bow to the decision of the Chair. On the one hand, I think it is most desirable that when a Member brings forward a motion of privilege, he should have every precedence which the subject demands, and to which he is entitled; but, on the other hand, I think it would be establishing a very inconvenient precedent if an hon. Gentleman be allowed to bring forward a question of privilege in any way that is contrary to the usual practice of the House. I need not say how anxious I am, on public grounds, to proceed with the Property-tax Bill, but at the same time the merely accidental difficulty interposed by the fact of my right hon. Friend having moved the Order of the Day will not be insisted upon by me, provided it appears that the hon. and learned Gentleman has a clear right to bring on this question of privilege in its present form. Were he free to bring it forward on Monday, it is quite clear, that I should gain no great advantage by the postponement, but at the same time, I must say the motion is one of so unusual a character that I will not say more than that it appears to me that it would be for the public advantage that there should be some delay. If the hon. and learned Gentleman were to make a speech—of course I cannot tell what the facts would be that he would state—I must say, that I do not think it would be a desirable thing that the House should come to a conclusion at once merely on hearing that speech. On the other hand, it would be most unfair for hon. Members to be subjected to imputations which they might not be in a situation at once to answer. Looking at the matter as one of indifference to the Government, who have precedence both to-day and Monday, unless a privilege question should intervene, I think it would be the most likely to conduce to a satisfactory decision, if the hon. and learned Gentleman were now to give notice for Monday, so that the House might have the interval to consider what course they would adopt. At the same time, if the hon. and learned Gentleman insists upon the right which the Speaker has declared him to have, I shall not interpose the accidental obstacle of my right hon. Friend's motion to his progress.

Mr. *Roebuck* said, if the House should think, under all the circumstances, that he had better proceed on Monday, and not to-day, he was quite ready to accede, but he was quite prepared to go on now.

Several hon. *Members:* Go on; go on.

Captain *Fitzroy:* Does the hon. and learned Member for Bath mean to include me in his rigid inquisition? [Mr. *Roebuck:* I certainly do.] Then I must say, for one, that it is only fair that the accusation should be made as speedily and as publicly as possible. Feeling, as I do, that it will be impossible for the hon. and learned Gentleman to fix any imputation upon me, yet I think it is only fair that I should know as soon as possible what are the suspicions he entertains, and the charges he makes. I trust, therefore, the right hon. Baronet at the head of her Majesty's Government will allow the accusation to be made at once, and publicly.

Major *Beresford* said, as the hon. and learned Member for Bath had included the Members for Harwich in his accusation, he only wished to state, that one of those Members—his hon. Colleague—had gone out of town yesterday to his country place before any notice of his motion had been given by the hon. and learned Member for Bath. He merely mentioned the fact, as it might have some weight in influencing the nature of his observations.

The *Chancellor of the Exchequer* withdrew his motion for reading the Order of the Day for the committee on the Property-tax Bill.

Mr. *Roebuck* said, Sir, the right hon. Baronet at the head of her Majesty's Government has said that the course I have pursued on the present occasion is an unusual one. I quite agree with the right hon. Gentleman that my course is an extraordinary one; but I think before I sit down, I shall convince him that the circumstances under which I have acted, are also extraordinary. Extraordinary evils require extraordinary remedies. I have, no doubt, deviated from the ordinary course of proceeding in this House on this occasion, but I think I shall be able to show the House that there exist grave reasons for suspicions as regards the two hon. Members who now sit for the town of Nottingham. [An hon. *Member:* One!] Against the one right hon. Member who now sits in this House for the town of Nottingham, the other hon. Member having resigned. I am also told, and have good reason to believe, and I think I shall be able to prove to the satisfaction of the House, that great suspicion also exists against the two hon. Members who now sit for Harwich in this House, or at least against one of them; and that grave suspicion also rests on the transactions that have taken place with respect to the Penryn and Falmouth case. I believe I shall also be able to show that the same grave suspicion rests against the two hon. Members who now sit for Reading, and also against the two Members for Lewes. And to what do these suspicions relate? They relate to a subject on which, above all others, it behoves the House to be watchful, and to take care that no man be enabled to impose on this House as a representative of the people by the use of corruption, intimidation, and bribery. I am here to charge the right hon. Baronet who now represents the town of Nottingham, with cognizance of and participation in bribery. I am here to charge upon the hon. Member who has resigned the seat which he held for the same town the same thing. I am here to charge the sitting Members for Harwich with bribery. I am here to charge the sitting Member for Penryn and Falmouth with being cognizant of and a participator in bribery. I am here to charge the Members for Reading with being cognizant of and participators in bribery, and I am here to charge the Members for Lewes in the same way; and why do I take this mode of making the charge? It is, that from the ordinary tribunals appointed by the law for the consideration of these subjects they have been withdrawn, and that, therefore, I am driven to the adoption of this extraordinary course. Such is the state of the law—such I find it in these cases to have been—that persons guilty of bribery, or cognizant that bribery has been committed, can withdraw from the tribunals which Parliament has appointed for the consideration of such charges. But shall it be said that the House, with the power in its own hands, shall allow persons found guilty before its very eyes to withdraw from its own immediate cognizance, which is far more certain than that of any of the tribunals appointed by act of Parliament? By the act of Parliament committees are appointed to try the merits of election petitions; but, according to the practice, any party prosecuted before those tribunals can withdraw, and so escape conviction. Let me, by one illustration, point out the kind of proceedings that may take place under such a system. Suppose there is a general election, and that the town of Nottingham is about to be contested—a sort of Parliamentary Napoleon determines to conquer the town, or in the language of the historian, to "jump on it with both his feet." He rushes down to the town, bribes every man, frightens his opponent out of the place, and is returned to Parliament as its Member. The opposing candidate enters a petition against his return. Say that the committee for the trial of that petition is to be struck next Monday. But fear seizes upon him when about to come before the tribunal which the law provides for the investigation of his proceedings, and he desires to escape from that tribunal. What, then, do the successful parties do? Why, they enter into a compromise with the opposing candidate, propose to pay down a sum of money for the purpose of exculpating themselves and escaping the scrutiny of the committee; and further pledge themselves to allow the ousted candidate to walk over the course. Now, I hearing of these things, put a question to the right hon. Baronet, the Member for Nottingham, who must be cognizant of these facts, if true, and now I ask the House what would have been the conduct of each and all of those hon. Members to whom I put the same question, if they had not been cognizant of such transactions. Suppose any hon. Member had come forward and accused me of a similar transaction; what does the House suppose would have been my answer? Should I have sheltered myself under such a shield as that "the hon. and learned Member for Bath has no right to put such a question?" No, Sir, I should have been glad to answer. I should have been thankful to the hon. Member who had brought forward so base an accusation, and I should at once have declared, in the face of the whole country and of this House, who are its representatives, that the whole statement was a foul lie and a calumny. Has the right hon. Baronet done this? Has not, on the contrary, one of the Members returned for Nottingham already done that which I should have anticipated had I put the question to him? Did he not, at four o'clock yesterday, accept the stewardship of the Chiltern Hundreds in fulfilment of the purposes of that very contract which by my question I proposed to bring under the notice of the House? But I am met by a statement which bears upon me with great force. It is said, but suppose that under these circumstances a sitting Member so situated finds it too expensive a process to defend his seat. I at once allow that that may be a reason. But my charge goes much further than that. I have heard, and I have reason to believe, and if the House grants me a committee, I think I shall be enabled to prove, that a sum of money has either been promised or paid down in order that the party might escape the investigation before the election committee. Now, this was a case of payment of something as an inducement to the treaty. It is not simply saying, "I am unable to bear the expense of the contest;" it is going further, and saying, "I am guilty of all the petition lays to my charge, and I am prepared to give something to escape from inquiry." Now I am prepared to say, and I do say, that I have heard these things circulated in every part of the town in which we live; and I am also prepared to say, that if you will give me power to bring before the House the agents in those transactions, I will get out the truth of my statement. Is the House prepared to say, that the facts I have alleged are not a breach of its privileges? Is the House prepared to say, that going down to bribe a whole town for the purpose of securing an election is not a gross breach of its privileges? If the House will say that, then I have no answer to make, and I have done. But if the House admits that such conduct is a gross breach of its privileges, then I am here in my place to say, that I myself believe the accusation made to be true, and that I am prepared, if the House will give me the means, to prove its truth. Making that statement as I do, will the House deny me the committee I ask for? I now come to the Reading case, and I say that I have heard, and have every reason to believe, that a bond has been entered into for a purpose which I will presently state. I say, that one of the hon. Members for Reading—I am compelled to name him in order to distinguish him from the other hon. Member—I should call him the noble Member for Reading, is about to accept the stewardship of the Chiltern Hundreds, under a penalty in which either he or his friends are bound so to vacate his seat by a certain day. Is such a case as this a breach of the privileges of this House or is it not? Of what is the hon. Member for Reading accused? Of bribery, intimidation, corruption, and treating. And before these things can be tried — indeed, after the committee has been sitting only one day—the whole affair is hushed up, the committee returns certain Members as the sitting Members, and if I had not interfered, what would have taken place, as far as the public knowledge of the affair is concerned? Why, the noble Member for Reading would have gracefully retired by accepting the Chiltern Hundreds—it would have been thought that pleasure or some other graceful employment had attracted him elsewhere; and so the matter would have ended. But I charge him beforehand with the intention of retreating. I have accused him in the face of his fellow-countrymen, and he dares not meet the accusation. Let us return to the case of Nottingham. It is very important that we should know what are the charges and accusations of the petition. The accusations included in the allegations of the petitions are, then, that the right hon. Sir John Cam Hobhouse, and George Gerard de Hochepied Larpent, now Sir George Gerard de Hochepied Larpent were candidates at the last election for the town of Nottingham; that, therefore, a poll was demanded on behalf of John Walter, which poll was allowed by the returning officer, and that shortly after the poll had commenced the opposition ceased, and the said Sir John Cam Hobhouse and George Gerard de Hochepied Larpent were returned. But the petition goes on to say that large numbers of electors were carried away to prevent them from voting—"cooped" is the phrase of the petition—a new term to me, but which, as explained by a very learned and competent person, means that these large numbers of electors were shut up and hidden in large houses; and it further appears that there existed such a mass of corruption and intimidation at Nottingham—all brought to bear upon the election by the admirable strategic operations of the right hon. Baronet—that the opposing candidates were compelled to give way. Such are the facts of the Nottingham case, as they appear from the petition. At Reading not quite the same thing took place, but quite enough was done to frighten the opponents of those who are the sitting Members in this House. I ask, Sir, if these things are to continue, what is to become of the privileges of Parliament? If all honourable feeling is to be put an end to—if after an election petition has been presented the inquiry is to be hushed up in an hour—if arrangements of the kind I have mentioned are to be made with impunity, and the grossest corruption concealed and hidden from the public eye. I ask, Sir, again, what is to become of the privileges of Parliament? Now I come to the Lewes case, I hope the hon. Gentleman opposite will not think that I mean to impute anything dishonourable to his party or to him in what I shall say. The question before us is, whether we shall consent to the continuance of a practice which, if not checked, will utterly break up the constitution, as far as the election to this House is concerned. I hope the hon. Gentleman opposite and my hon. Friend will excuse me, then, if finding them in the slough, I bring their case, too, before the House. My hon. and learned Friend at once acknowledged, that as regarded the Lewes case, there had been a compromise, and he has not said that it was not what I declared it to be—a compromise for the purpose of preventing the bribery coming out before the committee. Here is a case where the facts are admitted —where I cannot be accused of rashly rushing in. What is the charge in the case of the Members for Lewes? It is, that they went to Lewes with money in their hands, which was to be employed for the purposes of bribery, and that they were returned in consequence of that bribery. That point is clearly stated in the petition, and it seems that the petitioners had in their hands such proofs as enabled them to say to the sitting Members, "If you don't give up you see what the consequence will be." And the sitting Member being a prudent man, and connected as the parties were together, he retires, and the hon. and gallant Gentleman opposite now sits in his place. I am not accusing the men, I am accusing the system. I say, the hon. and gallant Gentleman is there in consequence of the system, and it is the system which I want to expose. I care not for the men. There sits the hon. and gallant Member (Captain Fitzroy), and here sits my hon. and learned Friend (Mr. Elphinstone). Where, and O where is his colleague? Echo answers, "Where." He is gone! Now we will come to the case of Penryn and Falmouth. The hon. and gallant Gentleman (Captain Plumridge) has acknowledged that there was a compromise, the nature of which he does not tell us, but at which he says he was extremely angry. ["Captain *Plumridge*—No, not angry; only displeased."] I exaggerated the phrase and am very sorry for it. The committee, however, was appointed. A witness was brought forward. He swore to direct acts of bribery. The thing became exceedingly unpleasant, and an arrangement having been made the night before between the parties, the counsel comes in and states that the whole matter is arranged, that the petitioners withdraw their petition; "And," adds the learned counsel, "we beg to say,"—now mark how they treat the witness—"we beg to say, that we don't believe one word which the witness has said." That is to say, although the charge was bribery, and the witness has distinctly proved it, yet we withdraw, and the world hears no more of the matter. But I see a good deal more. I see that the hon. Member is to retire in July. Now, do not we understand it so? The hon. and gallant Member's lawyer considered what was best to be done in the case; he brought his legal acumen and experience to bear upon it, and having seen men tried before for such practices, he said "The case is up, we will not try this, and the hon. Member will retire in July." Is the hon. Member not to retire in July. This circumstance then, that he is to retire in July, is a confirmation of the accusation. But why is he to retire? If the witness did not tell the truth, why is he to retire? For what reason? He is in health, he is strong, and quite equal to his Parliamentary duties. Why, then, should he retire? [Captain *Plumridge:* Because he made a bad bargain.] Now, I ask this House and the people of England, whether this is the language which ought to be used in reference to such a case? A bad bargain! Do we buy and sell the representation? If we come to this House fairly and freely to represent our fellow-countrymen, to watch over their interests, to take care of all that is dear to them and ourselves, is the hon. and gallant Member to be permitted to say, that it is a "bad bargain" by which he will be removed from this House? I do entreat the House not to permit such language to be used without reprehension. If these are the feelings of the hon. and gallant Member on the subject of the representation, I must say he is unworthy of a seat in this House, and in this case July will be a happy month for us. Every honest man who feels the responsibility of his situation here will concur with me in saying, that such language and conduct ought not to be permitted in this place. I think I have made out my case with respect to Penryn and Falmouth. Now for Harwich. In this case, the Members were charged with bribery, treating, and corruption. There were three petitions, one proceeding from Mr. Denis Le Marchant, now a Baronet and Sir Denis le Marchant, the other from Sir Denis Le Marchant and certain electors: and the third from Mr. J. Bagshawe. Mr. Bagshawe and Sir Denis le Marchant were candidates at the Harwich election. Before anything happened in the committee, a sudden light broke in upon the sitting Members. The three petitions were withdrawn, and the accusation is that one of those hon. Members is to retire, in order to let in Sir Denis le Marchant. The accusations contained in the petitions were bribery, treating, and corruption. The petitions are withdrawn, and a Member retires. The hon. and gallant Member for Harwich has told me I may draw whatever conclusion I please from his silence. I draw, then, the conclusion that either he or his Colleague retires. I say now, that one of them is to retire. Why? And why has joy gone forth to the friends of Sir Denis le Marchant? Why do they say "We have got a seat for Harwich?" Because a compromise and an agreement have taken place between these parties. In the case of Harwich a curious thing occurred. The sitting Members presented an objection list, whilst the other parties more carefully reserved theirs. The objection list of the sitting Members was presented, and then it was attempted to be withdrawn; but it was too late; and I find in this objection list the names of eighty-three voters for receiving bribes, and of seventeen for offering bribes. This is on one side only. The objection list of the other side, which has been so potent as to drive the hon. and gallant Member or his Colleague from the representation, has not been presented. I want to know how many voters were objected to in that list. I believe a great many more were objected to in that list than in the list of the sitting Members; and if a committee is granted to me, I will show how many more. I will again call the attention of the House to the case of Lewes. There were objected to on the part of the petitioners eighty voters for being bribed, forty for having made bets on the result of the election, and thereby acquiring a pecuniary interest in it, and ninety-six as being corrupted, making a total of 216 voters objected to on the part of the petitioners. On the part of the sitting Members, 183 voters were charged with bribery, sixty-three with attempts to bribe, 135 with being bribed, seventy-two with being paid agents, forty-five with betting, twenty-two with treating, and forty for being treated, making altogether 560 voters objected to by the sitting Members. How many electors voted at the last election for Lewes? The highest number voted for Mr. Harford, namely, 411, and yet the sitting Members had objected to 560 voters. For Mr. Elphinstone, 409 voted; for the hon. Mr. Fitzroy, 407, and for Lord Cantilupe, 388; so that the number who voted for any one candidate did not amount to the number of voters objected to, which equalled, adding the objections on both sides together, 722. Now, think of the corruption here! It is fearful to contemplate it; and I am told that in the last two elections for Nottingham above 4,000 persons received bribes. Give me a committee, and I will prove this. I now come to the case of Penryn and Falmouth. What was the course pursued there? The committee was struck, and sat one day; witnesses were heard; and what is the observation of all the lawyers with whom I have happened to have conversed on the subject of the proceedings of this committee? Why, they all exclaimed, "How very unlucky; if they had gone one step further, if the investigation only lasted five minutes longer, it would have been impossible to withdraw the case from the consideration of the committee." What did they mean by saying this? They meant, that had the case only lasted five minutes longer, the whole transaction would have appeared so plain, it would have been impossible for hon. Members on their oaths, to have allowed it to escape investigation. I say these are things requiring examination. I ask for no more. I ask for an inquiry, such as will free hon. Members from the accusations made against them, or by justifying those accusations will lay a ground for further legislative interference. And what is the legislative interference I ask for? Why, something that shall enable this House to consider an election petition something more than a fight between A and B. At present, the return to a seat in this House is considered as a mere matter between A and B. If A gains, his party is pleased; and if B gains, his party is pleased. But the public and the great business of this empire are totally unconsidered in the matter; and we buy and sell the constituencies of this country as if they were flocks of sheep. Look at the case of Nottingham. The right hon. Baronet on this side of the House (Sir J. C. Hobhouse), as I said before, bought the whole constituency, and I say, Mr. Walter bought them of him. Perhaps the right hon. Baronet may have thought he had made a bad bargain, and may, therefore, have sold the constituency for less than he gave for them. Nevertheless, he has sold them. These are the transactions I wish to inquire into, in order to expose them to the people of this country. I have not confined my accusations to one side of the House or to the other. I have made no party question of this. I stand up for the purity of this House, and, God willing, we will make it pure. We cannot, however, do so, if we allow such things to pass by without reprehension. I address myself to both sides of the House—to the whole House—to you, Gentlemen, the protectors of the general weal. I ask you to enable me to lay these transactions before a committee. Not one among you doubts in his heart the truth of my statements. There is not a man here present who will not say of me before retiring to rest this evening, "However unwise this man may be, he told the truth." Who will believe that the hon. and gallant Member for Lewes is here for nothing? It is impossible to suppose so. Give me a committee, then, and let me prove what I say. [Captain *Fitzroy*: I will vote for it.] That is just what I should have expected. When rumours of all these transactions have gone abroad, and when the public mind is full of the corruption which is stated to have taken place, are you prepared to shrink from the ordeal which has become necessary? When I stand forward to demand inquiry, is any man so blind, so careless of the reputation of this House, as to stand up and refuse me the means of an inquiry? I hope to have my motion seconded by the right hon. Baronet, the Member for Nottingham. I will not appeal to others. I see one venerable man opposite (Mr. Wynn), who has always stood up for the privileges of this House; but I will not presume to ask him to second my motion. I will get the right hon. Member for Nottingham to do this. I tell him that his character is concerned. My accusations are such that he cannot get out of them by the denial he has given me. I now move for a committee to inquire into the accusations I have made here in my place in Parliament, and I call upon the House to give me this committee, in order that they may see whether those accusations are true. The hon. and learned Member concluded by moving,

> "That a select committee be appointed, to inquire whether certain charges made of corrupt proceedings on the trial of certain election petitions, before election committees lately appointed to try the same, and which proceedings are charged as a gross breach of the privileges of this House, be true."

Captain *Fitzroy*: I have not the slightest objection to get up in my place and second the hon. and learned Member's motion. I am glad I put the question I did put to the hon. and learned Member, and I am thankful to the House for allowing this discussion to proceed without a postponement to Monday, because that of which I was convinced before is now perfectly clear—that the hon. and learned Member has failed to attach to me, in his accusing speech, and will equally fail if a committee be granted him, any breach of the privileges of this House. I asked the hon. and learned Member across the House whether he intended to include me in the list of those who are charged with being guilty of a breach of the privileges of the House; and he replied, he did; and I now ask him to explain in what way he attached to me any breach of the privileges of the House; for, after having listened to the hon. and learned Member's speech with great attention, I have failed to discover how he connects me with such a charge. I was a petitioner for a seat which I believed was justly and fairly my own, and that seat was conceded to me by the hon. Member against whom I presented a petition. How then am I guilty of a breach of the privileges of the House by taking possession of a seat so conceded? I want to know whether I was to act the part of a public prosecutor? Was I, because I had accused an hon. Member of that House of depriving me, by the means of bribery and corruption, of my rightful seat, to be subjected, after obtaining possession of that seat, to the expense of an investigation which would have lasted, probably, three weeks, for no possible purpose concerning myself? If the House of Commons call on me to be a public prosecutor, they cannot do less than allow me a large salary for the duty to be performed. I maintain that the compromise—if compromise it is to be called—amounts to this:—My late hon. Colleague having failed, by a technical error, on one head of his objections, it became impossible for him to obtain his seat; and, however long the inquiry might have been protracted, I could neither have served him nor my party by proceeding. We presented a petition, got a committee, and, as the hon. and learned Member said, I am here in consequence. Is this any breach of privilege? It appears to me, that the hon. and learned Member has been this night much more discursive and less argumentative than usual. He seems to desire to see a system established, by which every person presenting an election petition should be bound under a penalty to proceed with it, to prove the allegations made by counsel in their opening speech, and under no circumstances to retire until the case should be strictly investigated. Whether such a course of proceeding would be desirable or not, it is not for me to say. I should perhaps be rather inclined to see a law compelling petitioners to proceed; but as this is not the law at present, I maintain again that I stand free from any imputation of being guilty of a breach of privilege for taking possession of a seat, conceded to me on account of no unworthy consideration or bargain on my part, without payment of money, and without compromise of principle, but simply because the hon. Gentleman previously filling it failed to defend it. I am one of those who wish as much as any man to see the character of this House for purity stand as high as possible. I trust that my own character, both public and private, will always stand high; and I believe that any guilt or unworthy proceedings in public life cannot fail to attach to a man's private character. From all such proceedings I am confident my constituents will declare I have always abstained. I now say, in the face of my constituents, and in the presence of One more, that I have never, during my contests for a seat in Parliament, obtained it by any corrupt or improper means, directly or indirectly, through my agents or otherwise. For this reason I second the motion of the hon. and learned Member. I have always most sedulously set my face against such proceedings, and have told my constituents over and over again, that I would not accept a seat if it were obtained by improper practices. With more than this I will not trouble the House; but I am sure the House will feel that it is the part of every honest man to state the facts relative to these matters fairly and candidly; and the House will not think I have obtruded too much on its patience in attempting to clear my character, as far as my solemn declaration, in the presence of you all, can clear it, of any foul aspersions which may be cast against it. If any one should get up in this House, or state publicly or privately that I have obtained my seat by corrupt practices, I will tell him (and in doing so I mean no disrespect to the hon. and learned Member, who has indeed said it is the part of an honest man to state boldly and freely his sentiments)—I will tell him, I repeat, that it is a foul lie and calumny. I shall then follow the advice of the hon. and learned Member, whose very words I use. Any statement to the effect that I have directly or indirectly made use of corrupt or improper means to obtain my seat I designate as a foul lie. Perhaps I may be allowed, as the hon. and learned Member has read a list of objections made by both parties, to mention one fact in elucidation of this point. In the first place, I must deprecate the course pursued by the hon. and learned Member, because I think it calculated to revive among the constituents all the heat of past contests. With respect to the forty bets, those were merely made to raise a legal point — to ascertain whether the betting 1*s.*, or a bottle of wine, or 1*l.*, on a candidate would disqualify a voter. With respect to the number included under all the heads of objections, it is well known that in a scrutiny case the lists are filled up with a great many persons' names against whom there is no real objection, and against whom it is not intended to proceed. As far as concerns the number of persons accused of being bribed on our side, I know that many persons were included in the list who are perfectly incapable of acting in such a manner, and I fear it was from unworthy motives that this slur was attempted to be cast upon them. I apologise for occupying the time of the House so long; but I repeat I never have been, and never will be, cognizant of corrupt practices. I trust the motion for the appointment of a committee may be carried, in order to see whether these charges be true or not.

Mr. *Elphinstone*: I also support the motion, because I believe that the result of the inquiry will be that no imputations will attach either to my hon. Colleague or myself. I will state as clearly as I can the facts connected with the case of Lewes. There were four candidates at the election — myself and my late Colleague, and two other Gentlemen. Immediately after our return a petition was presented against us, and on making inquiry into the case, it appeared that the partisans on both sides had been guilty of bribery and treating. The committee met for investigation, and had it proceeded the probability is this, neither of the four parties would be now a Member of the House. A compromise was come to by the legal advisers; but no personal imputation rested on the candidates, the acts being done by their agents. I am perfectly ready to confess that this is the reason why my Colleague retired. Six hundred persons were included in the list of objections. It was intended that a scrutiny should take place; and I put it to the House whether, considering how utterly incompetent the election committees are to decide points of law, it would not have been a rash proceeding to run the risk of a scrutiny. On these grounds it was determined that one of us should vacate his seat. I will not charge it upon the hon. Member opposite or his noble Colleague at the hustings, but most undoubtedly there existed gross bribery and treating on their side during the election.

Captain *Plumridge*: Sir, I beg to be allowed to state most solemnly and most emphatically before this hon. House, before the country, nay, before God, that I never gave one penny to any voter, either before, at, or since my election, and I stand in this House as pure and as uncorrupt as the hon. Member for Bath himself. It was my pledge to all my friends before the election that I should not spend one farthing, and I firmly adhered to it. I have not paid for even a single bit of riband, and I will not. I have not paid one sou towards the expense of my election, and I will not. Although perjury might fix me with that crime, I state, as an Officer and a Gentleman, as a Member of this hon. House, that I neither promised to pay, nor did pay, one single sou to any one for a vote. I beg to state further that I had not even a paid agent.

Mr. *Williams Wynn* said, that the question before the House, concerning as it did the honour of its Members, was one of the utmost importance, no one could for a moment doubt. He must, however, say that it was something novel for a question of so important a description to be brought forward upon mere common fame. The hon. Member for Bath spoke as if he believed the charges, and he offered to prove them before a committee, if one were granted to him. Now, the subject was one that demanded mature consideration; they ought to consider whether it were a question that ought to be referred to a committee, or whether it were not one of so much importance as to require that the House should examine into it. He would, therefore, move that the debate be adjourned till Monday.

Mr. *Ward* saw no reason why his hon. and learned Friend the Member for Bath should not at once accede to the motion of the right hon. Gentleman. As he was in favour of the adjournment, he would not say one word upon the question itself.

Mr. *Roebuck*: I accede to the motion at once.

Mr. *C. Wood* begged to be allowed to say one word before the question was put. The hon. Member for Bath said he could prove that bribery had been committed in the Penryn case. As chairman of the committee in that case he wished to say that even the counsel for the petitioner stated that he did not believe one word which the witness had said, and the committee fully concurred with him. The committee had no doubt that the witness had perjured himself, as he had done in the House of Lords ten years ago.

Mr. *W. Wynn* said, committees and the House ought to act with great severity in the punishment of those who gave false testimony before them. He did not believe that it would be advantageous to wait until an indictment for perjury could be preferred, which might not be the case for two months: the power which was vested in the committee ought to be exercised, and the party guilty ought to be at once committed. He was aware of the goodnatured feeling which existed in the House, which led them to entertain every motion for the discharge of a prisoner, after he had been imprisoned for two or three weeks, but he did not think that was sufficient punishment to deter others from committing the same crime. He had narrowly watched the proceedings of the committees during the Session, and he could not do so without feeling great pain at noticing the manner in which witnesses fenced with their oaths. It was time that a greater degree of severity should be used, in order to stop the evil.

Mr. *Roebuck* begged to ask the hon. Member for Halifax whether the committee over which he had presided was so convinced of the perjury of the witness as to report him to the House?

Mr. *C. Wood*: No.

Mr. *Aglionby* said, the hon. Member for Bath had anticipated the question he intended to put. He would beg to ask why the committee had not reported the witness to the House? He perfectly concurred in the motion for adjourning the question, and he trusted that on Monday, laying aside all party feelings, they would come down to a calm and temperate discussion of these grave charges. He had been much delighted at the manner in which the charge had been met by the gallant Officer opposite, and by the hon. and learned Gentleman and the gallant Captain on his side of the House. He felt much pain and regret that others who had been implicated had not felt that they could take the same course. He begged to ask the hon. Member for Halifax why no steps had been taken for the prosecution of the party said to have been guilty of perjury. It was due, not only to the country, but to the party charged, that no time should be lost in having his guilt or innocence proved.

Mr. *C. Wood* said, the hon. Member, belonging as he did to the legal profession, must know that there was great difference between a conviction on one's mind and a sufficient case for a prosecution. The question of perjury never arose in the committee, but they were unanimous in saying they did not believe one word the witness said.

Mr. *Wakley* perfectly concurred in the motion of the right hon. Gentleman. It was a question which deserved consideration on two grounds. He was anxious for an extended inquiry; if they were to have one at all, let it be ample. Do not let them select four or five cases, when it was perfectly well known that there were upwards of fifty more members as deeply implicated. A great number of petitions had been presented that had not been prosecuted before a committee, and it was well known that equally corrupt practices had caused their withdrawal. Now, according to the terms of the motion of the hon. Member for Bath, the committee would have no power to inquire into them. It would be a partial, and, therefore, an unfair inquiry. He trusted his hon. Friend would amend his motion so as to embrace an inquiry concerning all the petitions presented after the last general election.

Mr. *Hume* did not at all agree with his hon. Friend. If he hoped for any good from the inquiry, let it be confined to the few cases. He wished to say a word to the hon. Member for Halifax. That hon. Member had taken advantage of his place in Parliament to charge a man as guilty of perjury. Now, he thought he ought either to prove the case or abstain from using his privilege in such a manner.

Debate adjourned.

INCOME-TAX.] On the motion of the Chancellor of the Exchequer the House resolved itself into committee on the Property or Income-tax Bill.

Clauses from 88 to 93 were agreed to.

On clause 94,

Mr. *J. O'Brien* begged to ask whether the right hon. Gentleman had considered the case of literary and scientific institutions and chapels for Dissenters.

The *Chancellor of the Exchequer*: With respect to the latter, he had no hesitation in saying that he would propose to exempt all buildings licensed according to law for religious observances and used for no other purpose. With respect to the former part of the question, he had been endeavouring to find out a definition by the use of which he might extend the same benefit of exemption to literary and scientific institutions without opening the door to much fraud and evasion. There were considerable difficulties in the way, but he had not abandoned the hope that he should yet overcome them.

Mr. *Hume* said, in the country many of the chapels were used as schools and for other purposes, such as Bible meetings, and the like. In Scotland the churches had for fifty years been used for many purposes connected with the parish. The words "for no other purpose whatever" would exclude them; therefore they had better be omitted.

The *Chancellor of the Exchequer* would consider the case before he proposed the exempting clause.

Clause 94 agreed to.

On clause 95,

Mr. *P. Scrope* begged to ask the right hon. Gentleman the Chancellor of the Exchequer, whether the exemption with respect to persons whose income did not amount to 150*l.* a-year was intended to be a complete exemption; or whether such persons would, in the first instance, be taxed, and be compelled to appeal to the commissioners to obtain a remission? The operation of the bill in this respect was not understood in the country. According to his reading of the bill, parties in the position he had mentioned would have to go through the troublesome process of appealing to the commissioners.

The *Chancellor of the Exchequer* was understood to say, that the only mode of ascertaining exemptions was to bring all persons under the schedules into the assessment. If the tax was imposed in a case where ground for exemption existed, parties would obtain repayment from the Receiver of Stamps. It would be impossible to allow persons to judge for themselves, whether there was ground for exemption in their respective cases.

Clause agreed to.

On rule 1, schedule D, in clause 96, being read as follows:—

"Computation of duty on trade upon amount of balance of the profits or gains upon a just average of years. It was proposed to fill the blank with 'three,'"

Mr. *Hume* hoped the Government would not insist that the assessment should be made on an average of three years' profits. He wished to know whether it was the intention of the right hon. Gentleman to make any alteration in this respect?

The *Chancellor of the Exchequer* said, he had heard various opinions expressed on this point. Persons in whose trades depression had existed during the last year, and who hoped for improvement in future, were desirous to have the assessment made on last year's profits; and those who thought that depression had existed in their respective businesses during the last three years were anxious that the assessment should be taken on the term of three years. He considered the fairest course was to adhere to the former practice, and to estimate the profits of the current year, on the average of the three preceding years.

Mr. *Hume* appealed to the Government, whether this was a just course to pursue. It certainly did not appear so to him. He should like to hear from any hon. Member connected with trade, whether it was the general opinion that the profits of the past year would equal the average profits of the three preceding years. He considered it most oppressive to tax the profits of the present year, when great depression was admitted to prevail in nearly all branches of trade, upon the average profits of the three preceding years, when trade was in a much more flourishing condition. He would propose as an amendment, that the words "one year" be substituted for "three years."

Mr. *W. Ellis* said, there was scarcely a town in the United Kingdom in which trade was not in a state of extreme gloom and depression; and he believed little hope was entertained of a speedy return of prosperous times. He was not, however, prepared to say, that this depression would not be in part removed when the Legislature had come to a decision on the measures of Government. It was undoubtedly the case, that during the last year severe losses were sustained by commercial men; and it was his sincere conviction, that during that period few commercial men had succeeded in covering their expenses. The usual course pursued in commercial houses was to "take stock," as it was termed, at Christmas; and consequently the assessment under this bill would be made on the average profits of 1839, 1840, and 1841. Trade was tolerably good during 1839 and 1840, but in 1841 it suffered great depression; and as there was no ground for anticipating any revival, it would be oppressive to make the assessment for the present year on the average of those three years.

Sir *R. Peel* said, during the last three years very general complaints had been made of the depression of trade, and it could not be asserted that in any one of those years trade had been in a prosperous condition. He was desirous to adopt the most just course, and from the communications he had received, he considered it preferable to make the assessment on the average profits of three years rather than on the profits of the last year. He must remind the hon. Gentleman (Mr. Hume) that the bill gave parties the option of compounding for the next three years on the average profits of the last three years; and, supposing that any revival of trade took place during the next three years, an advantage would thus be obtained by those who compounded. He regretted, however, that he could not express any very sanguine expectations with respect to a revival of trade. He was bound to say that the arrival of spring had disappointed the anticipations he had formed; for his impression had been that that season would have been accompanied by more cheering indications of prosperity than had yet appeared. Although it was said in some quarters that the tariff did not go far enough, he thought it would be admitted that measures were in progress which were likely to lead to a revival of trade. He thought, then, it was fair to give persons the option of paying year by year on the average of the preceding three years, or of compounding for the term of three years on the average of the last three years. If in all cases the preceding year alone was adopted as the criterion of assessment, he thought great dissatisfaction would be occasioned. It was impossible to give persons the option of determining whether they would be assessed on the last year or on the average of three years. A definite rule must be laid down; and as on a former occasion the average of three years was adopted, he considered it his duty to advise the House to agree to such a course on this occasion.

Mr. *Wakley* said, the right hon. Baronet had admitted that the anticipations he had formed respecting a revival of trade had been disappointed. He thought the depression of trade might be attributed in a great degree to the uncertainty which prevailed with regard to the measures now before the House. He was almost disposed to think that the House should begin immediately to devote its attention to this bill, and to the tariff, to the exclusion of all other business; for it was impossible, while the present uncertainty with regard to those measures existed, that any revival of trade could take place. He believed that if, on Monday next, the right hon. Baronet appealed to the House to adopt the course he had suggested, the proposal would meet a willing concurrence.

Mr. *S. Wortley* was not prepared to say whether the House should or should not adopt the suggestion of the hon. Gentleman; but it was true that intense anxiety prevailed throughout the country with regard to the measures to which the hon. Member had referred. The right hon. Baronet (Sir R. Peel) had proposed a few nights since that a larger portion of the time of the House should be devoted to the consideration of the Income-tax Bill and the tariff; and to that arrangement the House had given its consent.

Sir *R. Peel* said, if the House applied itself for a fortnight to the consideration of the measures alluded to, great progress would, undoubtedly, be made, and great advantage would accrue to the country. He did not think it advisable, except in cases of extreme necessity, to interfere with the ordinary principles on which the business of that House was conducted; but if the House consented to devote five days in the week to the consideration of these measures, rapid progress would be made with them.

The *Chancellor of the Exchequer* said, the bill gave persons the option of compounding for the whole period of three years during which the measure was expected to continue in operation. He had heard nothing to convince him that the average ought not to be formed on the three years.

Mr. *Hume* said, that in many cases, to tax income on the average profits of three preceding years would be a gross injustice; and that the income being assessed on one year's profits would be much fairer. He moved to fill the blank in the clause with the word "one," to alter the three years to one year.

Mr. *J. Bailey* preferred the principle of the income being assessed on one year instead of three. Trade had been getting worse for the last three years, and it would be unjust to make a man pay tax on an income which he did not now receive, which was formed on an average of three preceding years.

Mr. *Rundle* did not see why the composition should not be on one year instead of on an average of three years.

Mr. *Hume* hoped the committee would decide in favour of his amendment.

Sir *R. Peel* said, his hon. Friend (Mr. M. Attwood) had stated that the profits of the iron trade had been in the last three years in the ratio of 30, 20, and 10; he thought this no argument against the income being taken on the average of the three years. Suppose that during the next three years the ratio of the profits should be as 10, 20, and 30 in that trade, would it be fair to say that the composition for three years should be made on an average of 10, if it should turn out that the average was much greater?

Mr. *M. Attwood* said, suppose the iron trade should continue in its present state of depression for the next three years, would they impose an Income-tax on a trade which was losing money, founded on the profits of the preceding years? If a man made no profit he ought not to pay any Income-tax. He thought that in a short time prosperity would return to the country, and that there would be a great increase of income to the Exchequer.

Mr. *Fielden* said, it appeared to him that the fairest way was to take the income of the past year for the next year's Income-tax, and to take the average of the three preceding years for the succeeding year's Income-tax.

Mr. *Muntz* said, it made a material reduction in the Income-tax, to have it fixed on the profits of the past year, instead of on the three preceding years. For his own part, he would rather take the average on the three years and the composition. There was no doubt that the present state of the country must improve. The country was in its present state in consequence of bad legislation, and different measures would produce a different result.

The committee divided on the question that the blank be filled up with the word "three."—Ayes 76; Noes 27: Majority 49.

List of the AYES.

Acton, Col.
Bagge, W.
Baillie, Col.
Baird, W.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Baskerville, T. B. M.
Beckett, W.
Bodkin, W. H.
Boldero, H. G.
Bramston, T. W.
Browne, hon. W.
Campbell, A.
Chetwode, Sir J.
Christmas, W.
Clayton,. R. R
Clerk, Sir G.
Collett, W. R.
Copeland, Mr. Ald.
Corry, rt. hon. H.
Damer, hon. Col.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir C. E.
Duncombe, hon, A.
East, J. B.
Escott, B.
Flower, Sir J.
French, F.
Gaskell, J. Milnes
Gordon, hon. Capt.
Goulburn, rt. hn. H.
Graham, rt. hn. Sir J.
Greenall, P.
Grogan, E.
Halford, H.
Hamilton, Lord C.
Harcourt, G. G.
Henley, J. W.
Hepburn, Sir T. B.
Hillsborough, Earl of
Hope, hon. C.
Howard, P. H.
Ingestre, Visct.
Johnson, W. G.
Kemble, H.
Knatchbull, right hon. Sir E.
Lawson, A.
Leicester, Earl of
Lockhart, W.
Mackenzie, T.
Mc'Geachy, F. A.
Mainwaring, T.
Manners, Lord J.
Marsham, Visct.
Masterman, J.
Muntz, G. F.
Nicholl, rt. hon. J.
Peel, rt. hon. Sir R.
Peel, J.
Pemberton, T.
Plumptre, J. P.
Polhill, F.
Pringle, A.
Pusey, P.
Reade, W. M.
Sibthorp, Col.
Stanley, E.
Stewart, J.
Tennent, J. E.
Trench, Sir F. W.
Trevor, hon. G. R.
Trotter, J.
Vivian, J. E.
Wilbraham, hn. R. B.
Wortley, hon. J. S.

TELLERS.

Fremantle, Sir T.
Herbert, S.

List of the NOES.

Aglionby, H. A.
Attwood, M.
Bailey, J.
Barnard, E. G.
Bodkin, J. J.
Bowring, Dr.
Brodie, W. B.
Busfeild, W.
Christie, W. D.
Cobden, R.
Crawford, W. S.
Ellis, W.
Fielden, J.
Gibson, T. M.
Granger, T. C.
Humphrey, Mr. Ald.
Mitchell, T. A.
Morris, D.
Murphy, F. S.
O'Brien, W. S.
Scrope, G. P.
Thornely, T.
Tufnell, H.
Turner, E.
Wakley, T.
Wawn, J. T.
Wood, B.

TELLERS.

Hume, J.
Rundle, J.

Rule as proposed agreed to.

Remaining rules of the clause severally agreed to, as was clause 97, with its rules.

On clause 98 being proposed,

Mr. *French* proposed an amendment—

> "To except from the tax such annuities and yearly interest of money as shall be payable in Great Britain, to or on behalf of any person, *bonâ fide* resident in Ireland."

The effect of the clause as it stood, would be that persons residing in Ireland, and deriving incomes from England, would pay double, because they would not only pay upon any income derived from England, but an extra duty upon stamps and spirits in Ireland.

The *Chancellor of the Exchequer* resisted the amendment, which was negatived.

Clause, and clauses up to 187 were agreed to.

On clause 188, commencement and continuance of the act (that the act shall commence and take effect from and after the 5th day of April 1842, and, together with the duties therein contained, shall continue in force until and no longer), it was proposed to fill the blank with "the 6th day of April, 1845."

Mr. Hume moved as an amendment to substitute the 6th day of April, 1843.

The committee divided on the question, that the blank be filled up with the 6th of April, 1845:—Ayes 174; Noes 52: Majority 122.

List of the AYES.

Aglionby, H. A.
Aldam, W
Bell, J.
Bowring, Dr.
Brotherton, J.
Christie, W. D.
Colebrooke, Sir T. E.
Crawford, W. S.
Curteis, H. B.
Dalrymple, Capt.
Dawson, hon. T. V.
Ebrington, Visct.
Ellis, W.
Evans, W.
Fielden, J.
French, F.
Gill, T.
Gore, hon. R.
Granger, T. C.
Hawes, B.
Heneage, E.
Hutt, W.
James, W.
Layard, Capt.
Marjoribanks, S.
Marshall, W.
Morris, D.
Mostyn, hn. E. M. L.
Muntz, G. F.
Murphy, F. S.
Murray, A.
Norreys, Sir D. J.
O'Connell, M. J.
O'Connell, J.
Ogle, S. C. H.
Pechell, Capt.
Plumridge, Capt.
Pulsford, R.
Redington, T. N.
Rice, E. R.
Rundle, J.
Scholefield, J.
Scrope, G. P.
Somerville, Sir W. M.
Strutt, E.
Tancred, H. W.
Turner, E.
Villiers, hon. C.
Wakley, T.
Wawn, J. T.
Williams, W.
Wood, B.

TELLERS.
Hume, J.
Humphery, Mr. Ald.

List of the NOES.

Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Acton, Col.
Allix, J. P.
Arkwright, G.
Astell, W.
Attwood, M.
Bagot, hon. W.
Bailey, J.
Bailey, J. jun.
Baillie, Col.
Baillie, H. J.
Bankes, G.
Baring, hon. W. B.
Barrington, Visct.
Baskerville, T. B. M.
Bateson, Sir R.
Beresford, Capt.
Beresford, Major
Bodkin, W. H.
Boldero, H. G.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Brooke, Sir A. B.
Buller, Sir J. Y.
Campbell, A.
Chetwode, Sir J.
Clayton, R. R.
Clements, H. J.
Clerk, Sir G.
Clive, hon. R. H.
Cochrane, A.
Cockburn, rt.hn.Sir G.
Colvile, C. R.
Copeland, Mr. Ald.
Corry, rt. hn. H.
Cripps, W.
Darby G.
Dawnay, hn. W. H.
Denison, E. B.
Dickinson, F. H.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Drummond, H. H.
Duncombe, hon. A.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Farnham, E. B.
Fellowes, E.
Fielden, W.
Filmer, Sir E.
Fitzroy, Capt.
Fleming, J. W.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Greenall, P.
Gregory, W. H.
Grogan, E.
Hamilton, J. H.
Hamilton, W. J.
Hamilton, Lord C.
Hayes, Sir E.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, R.
Hodgson, F.
Holmes, hn. W A'Ct.
Hope, hon. C.
Hornby, J.
Howard, hn. E. G. G.
Howard, P. H.
Jackson, J. D.
Johnson, W. G.
Johnstone, Sir J.
Johnstone, H.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kemble, H.
Knatchbull, right hon. Sir E.
Knight, H. G.
Lascelles, hon. W. S.
Lawson, A.
Leicester, Earl of
Lemon, Sir C.
Lindsay, H. H.
Lockhart, W.
Lowther, hon. Col.
Lygon, hon. General
Mackenzie, T.
Mackenzie, W. F.
M'Geachy, F. A.
Manners, Lord J.
Marsham, Visct.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Maule, rt hon. F.
Meynell, Capt.
Mordaunt, Sir J.
Mundy, E. M.
Neeld, J.
Nicholl, rt. hon. J.
Norreys, Lord
O'Brien, A. S.
Paget, Lord W.
Patten, J. W.
Peel, rt. hn. Sir R.
Pigot, Sir R.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Pringle, A.
Pusey, P.
Rashleigh, W.
Reade, W. M.
Reid, Sir J. R.
Richards, R.
Rolleston, Col.
Rous, hon. Capt.
Rushbrooke, Col.
Ryder, hon. G. D.
Sanderson, R.
Scott, hon. F.
Seymour, Sir H. B.
Shaw, right hon. F.
Shirley, E. J.
Sibthorp, Col.
Smith, A.
Somerset, Lord G.

Somerton, Visct.
Stanley, Lord
Stewart, J.
Stuart, H.
Sutton, hon. H. M.
Talbot, C. R. M.
Tennent, J. E.
Thompson, Mr. Ald.
Tollemache, J.
Trench, Sir F. W.
Trotter, J.
Turnor, C.
Verner, Col.
Vesey, hon. T.
Vivian, J. E.
Wilbraham, hn. R. B.
Winnington, Sir T. E.
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.
Young, Sir W.

TELLERS.

Baring, H.
Fremantle, Sir T.

Clause ordered to stand part of the bill.

Mr. *F. Maule* inquired what words the Chancellor of the Exchequer intended to introduce into schedule C, for the purpose of exempting the dividends of stock invested for the repairs of Dissenting chapels from contribution?

The *Chancellor of the Exchequer* said, he had, already, at an early hour of the evening, stated what he intended to do, with respect to several points which had been reserved; but as the right hon. Gentleman was not then in his place, he had no objection now to repeat, that the words he proposed to add were these—

> "Or other building licensed according to law, as a chapel for the purpose of divine worship, and used for no other purpose."

Mr. *F. Maule* said, that he was ready to admit, that the right hon. Chancellor of the Exchequer had done justice to the parties. He wished to know whether it would extend to the Dissenting chapels in Scotland?

The *Chancellor of the Exchequer* said, that he had taken the words from the act under which Dissenting chapels are exempted from the payment of the window-tax, and he presumed that that applied to Scotland as well as to England.

Mr. *F. Maule* was satisfied with the answer.

Mr. H. Yorke moved the following clause:—

> "That in assessing the amount of duty to be annually paid by any attorney, solicitor, or proctor, in respect of the annual profits and gains received by him from his profession, employment, or vocation, the commissioners shall allow such sum as shall have been paid by him for duty upon his certificate."

Clause brought up and read a first time.

On the question, that the clause be read a second time,

Colonel *Sibthorp* thought the motion a proper one; and he begged leave to support it.

The *Chancellor of the Exchequer* opposed the motion.

Mr. *Yorke* was unwilling to give the House any unnecessary trouble, but he felt, that he could not discharge the duty which he had undertaken, without pressing his motion.

The House divided:—Ayes 18; Noes 183: Majority 165.

List of the AYES.

Aldam, W.
Crawford, W. S.
Duncombe, T.
Dundas, hon. J. C.
Gore, hon. R.
Granger, T. C.
James, W.
Mackenzie, T.
Mackenzie, W. F.
Morris, D.
Ogle, S. C. H.
Pechell, Capt.
Scholefield, J.
Turner, E.
Vane, Lord H.
Villiers, hon. C.
Wawn, J. T.
Williams, W.

TELLERS.

Sibthorp, Col.
Yorke, H. R.

List of the NOES.

Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Acton, Col.
Aglionby, H. A.
Allix, J. P.
Arkwright, G.
Astell, W.
Atwood, M.
Bailey, J. jun.
Baillie, Col.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Barrington, Visct.
Baskerville, T. B. M.
Bodkin, W. H.
Boldero, H. G.
Bowring, Dr.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Brooke, Sir A. B.
Brotherton, J.
Browne, R. D.
Buller, Sir J. Y.
Campbell, A.
Clayton, R. R.
Clements, H. J.
Clerk, Sir G.
Clive, hon. R. H.
Cochrane, A.
Cockburn, rt. hn. Sir G.
Colvile, C. R.
Conolly, Col.
Copeland, Ald.
Corry, rt. hon. H.
Cripps, W.
Curteis, H. B.
Dalrymple, Capt.
Darby, G.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Drummond, H. H.
Duncombe, hon. A.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Evans, W.
Fellowes, E.
Feilden, W.
Filmer, Sir E.
Fitzroy, Capt.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
French, F.
Fuller, A. E.
Gaskell, J. Milnes
Gill, T.
Gladstone, rt. hn. W. E.
Gordon, hon. Capt.
Gordon, Lord F.
Gore, M.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marq. of
Greenall, P.
Gregory, W. H.
Grogan, E.
Hamilton, J.
Hamilton, W. J.
Hamilton, Lord C.
Hawes, B.

Hay, Sir A. L.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hillsborough, Earl of
Hobhouse, rt.hn.Sir J.
Hodgson, F.
Hodgson, R.
Holmes, hn. W. A'Ct.
Hope, hon. C.
Hornby, J.
Howard, P. H.
Howick, Visct.
Hume, J.
Humphery, Ald.
Hutt, W.
Jackson, J. D.
Jermyn, Earl
Johnson, W. G.
Johnstone, H.
Jolliffe, Sir W.
Jones, Capt.
Kelburne, Visct.
Kemble, H.
Knatchbull, rt.hn. Sir E.
Knight, H. G.
Knight, F. W.
Lawson, A.
Layard, Capt.
Leicester, Earl of
Lindsay, H. H.
Lockhart, W.
Lowther, J. H.
M'Geachy, F. A.
Manners, Lord J.
Marjoribanks, S.
Marshall, W.
Marsham, Visct.
Martin, C. W.
Marton, G.
Master, T. W. C.
Masterman, J.
Maule, rt. hon. F.
Meynell, Capt.
Miles, P. W. S.
Mordaunt, Sir J.
Mostyn, hn. E. M. L.
Mundy, E. M.
Murray, A.
Neeld, J.
Neville, R.
Newry, Visct.
Nicholl, right hon. J.
Norreys, Sir D. J.
O'Brien, A. S.
O'Brien, W. S.
Paget, Lord W.
Pakington, J. S.
Patten, J. W.
Peel, rt. hon. Sir R.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Pringle, A.
Rashleigh, W.
Reade, W. M.
Redington, T. N.
Rice, E. R.
Richards, R.
Rolleston, Col.
Rous, hon. Capt.
Rushbrooke, Col.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scott, hon. F.
Shaw, right hon. F.
Shirley, E. J.
Somerset, Lord G.
Somerville, Sir W. M.
Stanley, Lord
Stewart, J.
Strutt, E.
Sutton, hon. H. M.
Talbot, C. R. M.
Tennent, J. E.
Thompson, Ald.
Tollemache, J.
Trotter, J.
Turnor, C.
Verner, Col.
Vesey, hon. T.
Vivian, J. E.
Wakley, T.
Wilbraham, hn. R. B.
Winnington, Sir T.
Wood, B.
Wood, G. W.
Wortley, hon. J. S.
Yorke, hn. E. T.
Young, J.

TELLERS.

Baring, H.
Fremantle, Sir T.

Mr. Henley moved the insertion of a clause—

"To enable the commissioners or other Government officers to relieve occupiers of land, in certain cases, from the whole or any part of the duty charged upon them under schedule B, as to them may seem just."

The *Chancellor of the Exchequer* opposed the clause. It would only make the operation of the bill more unequal, and its inequalities were already complained of.

Mr. *B. Wood* said, that he would move his clause to protect persons from a charge of Income-tax, upon a larger sum than the net amount of real income, on the bringing up of the report, unless the Government would undertake to propose such a clause.

Sir *R. Peel* said, the hon. Member's clause had been under the consideration of the Government, but as he thought it would operate unjustly, he would leave it under the charge of the hon. Member himself.

Mr. *T. Duncombe* rose to move a clause, to which, he believed, from the sense of justice which always actuated that House, there would be no objection. His object was to place borough electors on the same footing with regard to the payment of this Income-tax as county electors. By the 27th section of the Reform Act, all borough electors were obliged to pay all assessed taxes, namely, the Queen's taxes and the poor-rates, as a condition of registration. All these taxes, due on the 5th of April, must be paid on or before the 20th of July succeeding. County electors were not obliged to pay any rates or taxes as a condition of registration. He had taken legal opinions on this point, and had ascertained that it would be necessary for borough electors to pay this Income-tax before the 20th of July in each year, as a condition of registration; and the object of his clause was to render this payment unnecessary for the purposes of registration. The proposition was so reasonable he did not think it would be objected to. By the 51st section of the Reform Act, all overseers could call on the electors of assessed taxes to allow them to inspect their books, and the revising barristers had the power, in case a vote was disputed, and as these individuals were not sworn to secrecy under the act the consequence would be, that they would possess all that inquisitorial power which the authors of the Income bill proposed to guard against. He proposed a clause to effect the object he had in view, and said he should take the sense of the House on it.

Sir *R. Peel* wished the hon. Gentleman would postpone the clause until the bringing up of the report, but not because he contested its principle. The Income-tax was a temporary tax, and he certainly did not think the voters in towns should be disentitled to exercise their right of voting because they had not paid it. He thought the proposition just, and did not intend to place the borough voters under any new disqualification. At the same time, he wished that the clause should be postponed until the bringing up of the report. He admitted this principle, that there should be no new disability on account of the property-tax.

Mr. *T. Duncombe* said, his only object was, that borough electors should not be placed in a worse position on account of this tax than they were in before, and therefore he would give notice that he should move a clause to that effect on bringing up the report.

Sir *R. Peel* said, the Government would take care to consider whether such disqualifications would apply, and if it did, they would undertake to introduce such an alteration in the bill as would effect the object in view.

Colonel *Sibthorp* then moved a clause to the effect that no foreigner residing in this country, and deriving an income from any employment or business here, should be exempted from the payment of the tax.

The *Chancellor of the Exchequer* said, he had objected to the exemption of any particular class, and therefore he did not wish any particular exemption to apply to foreigners. But the rule as to foreigners under this bill was a general one. Those who came here for a short period only, and were supposed to have no fixed residence or establishment during that time, would be exempt, but if they lived here for a certain period, they would then be considered as permanently resident, and would be charged with the tax. He thought, therefore, it was better to let the matter rest on that general principle.

Colonel *Sibthorp* said, his only object was to watch these foreigners as they came and went; but after what had been stated by the right hon. Gentleman he would not press the clause.

Mr. *F. Baring* wished to know whether the Chancellor of the Exchequer had prepared a clause for exempting schools and literary institutions?

Mr. *Hume*: And mechanics' institutions too?

The *Chancellor of the Exchequer* said, he had stated at an early part of the evening that he had not forgotten this subject, and that he had drawn up a clause, but that it was not satisfactory for the purpose, inasmuch as it did not limit the operation of the exemption to the particular object which they were desirous to exempt. At the same time he did not abandon the hope of being able to propose such a clause as would be satisfactory, and the hon. Member for East Sussex had offered to assist him in doing so, but at present he was not prepared to give a decided opinion upon it.

House resumed. Report brought up to be further considered on the following Monday.

House adjourned.

HOUSE OF LORDS,

Monday, May 9, 1842.

Minutes.] Bills. *Public.*—2$^{a.}$ Exchequer Bills; Victoria Park; Knightsbridge and Kensington Openings.

Private.—1$^{a.}$ Bathurst, Sir F. H. H., Bart., Estate; Bristol and Gloucester Railway.

2$^{a.}$ Saundersfoot Railway; Gosport Pier; Kirkintilloch Roads; Duke of Argyle's Estate.

3$^{a.}$ and passed:—Great North of England (Clarence and Hartlepool) Railway; Granton Pier (No. 2); Northern Coal Mining Company; Sir J. Cass's Charity (Shaw's) Estate; Cottenham Drainage.

Petitions Presented. From the Rev. Thomas Silver, Vicar of Charlesbury, Oxfordshire, that all great Changes in Church Property may be made without the consent of the Convocation of the Clergy.—From Wisbech, Ely, and other places, for Protection to the Agricultural Interest.—From Temple Michael, and Killoe, for the Encouragement of Schools in connexion with the Church Education Society for Ireland.—From the South Western District of St. Leonard's, Shoreditch, in the Borough of Finsbury, for the Redemption of the Tolls on Waterloo, and the other Metropolitan Bridges.—From C. Richardson, for the Extension of the Term now granted by Law for the Possession of Copyright.—From N. Bruce, for Inquiry into the Laws of Copyright.

Magistracy (Ireland) — Mr. Biddulph.] Earl *De Grey*, in answer to a question which had been put to him by his noble Friend (the Marquess of Normanby) on a former evening, with respect to the conduct of one of the Irish magistracy, Mr. Biddulph, begged to state to his noble Friend that, since that time, Mr. Biddulph had been struck off the list of magistrates. It was his intention to have mentioned this on Friday evening last, the earliest moment at which he received the intelligence; but as he was prevented by the miscarriage of a letter from announcing the fact with official certainty, he had deferred the announcement till that evening.

The Marquess of *Normanby* admitted that the substance of his noble Friend's communication was satisfactory, although he regretted that his noble Friend had not accompanied it by some statement as to the reason why so just and necessary a step had been so long delayed. Admitting that his noble Friend's statement was in one particular satisfactory, he could not allow the occasion to pass by without offering a few words as to the time and circumstances under which the dismissal of Mr. Biddulph had taken place. To render himself perfectly in order in offering these observations, he meant to conclude by moving for the production of the correspondence between the Lord Chancellor and Mr. Biddulph, and the dates of that correspondence. His noble Friend (Earl de Grey) had protested, on a former occasion, that it was not the duty of the Lord-lieutenant of Ireland to read the newspapers. It was certainly not the duty of the Lord-lieutenant, supposing him to be rightly informed from official sources, to read the newapers with the view of founding any act upon the intelligence to be derived from them. But the question of whether the Lord-lieutenant should read the newspapers for information, upon which to direct his Government, depended upon whether he were supplied by such a constant stream of official information as should render any reference to newspaper information unnecessary. But if the Lord-lieutenant were supplied by a regular and constant stream of official information, then he conceived that the newspapers ought not to be despised as channels of intelligence. He appealed to any of the noble Lords opposite, whether it was not a very great disadvantage that the just and necessary step of dismissing Mr. Biddulph should have been delayed for the space of two months, and until after a Parliamentary inquiry had taken place upon the subject, instead of being, as he maintained it ought to have been, the instant and spontaneous act of a vigilant and united executive. He mainly attributed the popularity which attached to his government of Ireland, to the fact that during the time that he had the honour of filling the office of Lord-lieutenant of Ireland, there was the greatest unity amongst all branches of the Irish Government, and no trial of importance took place without his being informed of it by the law officers of the Crown. The case of Mr. Biddulph had been three times brought before that House in the last Session of Parliament. That having been the case, was it not surprising that no notice should have been taken of it by any of the officers of the Irish Government, whose duty it was to supply his noble Friend (Earl De Grey) with information as to the conduct of those entrusted with the administration of the law? Were there no peculiar circumstances in the trial of Mr. Biddulph which would seem to call for the attention of his noble Friend, and of the Irish government? Why, Mr. Murphy, the counsel, a man of considerable eminence and standing at the Irish bar, and who conducted the prisoner's case, said, at the end of the trial, "and now, Sir, I leave you in the hands of the Attorney-general." And yet this, which his noble Friend (Lord de Grey) admitted to be the necessary consequence of the cross-examition, was taken no notice of until he brought it before their Lordships' House two months afterwards. He owned that this had left rather an unpleasant impression upon his mind. No doubt his noble Friend (Earl de Grey) meant to carry out the intentions of her Majesty's present Government, and to do as much justice to Ireland as was consistent with keeping the present dominant party in power. But he owned that the course of the proceedings in this case, and the ignorance in which his noble Friend had been kept upon the subject, left a disagreeable impression on his mind, and awakened some unpleasing suspicions as to the real hands in which the Government of Ireland might now be thought to rest. His noble Friend had asserted that he did not read the newspapers. He was afraid that some othe persons did read them, and from the information derived from them learnt how to shape their conduct. Circumstances of recent occurrence had led him to think that there were some truth in the boast of one of the Government newspapers last year, that its remonstrances had led to a change in the policy of the Irish government. As this was probably the last time that he should have occasion to address their Lordships upon this subject, he begged to add a few words in reference to an address of congratulation upon the diminution of crime and the improved state of the country, recently presented to his noble Friend the Lord-lieutenant by the grand jury of Carlow. He certainly hoped that his noble Friend and the Carlow grand jury were correct in their intimation as to the improved state of the country. He had heard rumours of a contrary description; but taking the statement of the grand jury, and supposing it to be true, he would still remind his noble Friend that the improvements to which his attention was directed could not be regarded solely as the fruit of his own government, but must be attributed in no slight degree to the wise and beneficial measures adopted by his predecessors. The noble Marquess concluded by moving for copies of the correspondence between the Lord Chancellor and Mr. Biddulph, and the dates of that correspondence.

Earl *De Grey* was not aware of any objection to the production of the papers for which his noble Friend had moved. As to the remarks that had fallen from his noble Friend, he had only to repeat now what he had stated before, that the moment that the circumstances of the case were brought under his notice, in such a manner as enabled him to act, he had not hesitated or delayed to do so. With respect to the state of Ireland, and to the address of the grand jury of Carlow, to which his noble Friend had alluded, it was certainly true that the gentlemen composing the grand jury of that county had presented an address to him in which they stated that they thought crime was diminishing in that part of the country, and they expressed their congratulations to him upon that subject. He received their address, and thanked them for it. In doing so he did not arrogate to himself any particular merit for the fact upon which they congratulated him. He merely accepted their representation as to the state of the country because he thought them competent to make it. If they were mistaken, the mistake was not his but theirs. In receiving the address, and replying to the statement contained in it, he had arrogated nothing to himself. He did not want to say, neither had he said that his noble Friend (the Marquess of Normanby's) management whilst in the government of Ireland, had been improper, so that his had been superior. He was only glad to believe that the fact was such as was stated to him, by those whom he supposed capable of forming a correct judgment upon it. If it were so, he claimed no merit to himself because it was so. He was obliged to his noble Friend for the courtesy he had shewn in referring to his conduct upon that occasion. Whilst he remained in the government of Ireland, he should continue to act according to the best of his judgment to promote the general welfare of the country, and without reference to any private objects of his own. His endeavour would always be to do the best in his power, not for himself, but for the country over which he was placed. He had no doubt that the people of that country would soon begin to feel that he had no private objects of his own. As soon as he ceased to give satisfaction to them and to the sovereign under whom he held his power, he should hasten to retire.

The Marquess of *Normanby* was satisfied that nothing that had fallen from him could have led to the necessity of such a defence as his noble Friend had adopted. All that he had desired to do was to ask justice for himself, not to impute anything to his noble Friend.

Motion agreed to.

COPYRIGHT.] The *Lord Chancellor* wished to call their Lordship's attention to the Copyright Bill, which stood for the second reading on the following day. He would suggest that the same course should be pursued with it as had been adopted in the House of Commons, namely, that the second reading should be taken without debate, and that the discussion should take place on the motion for going into committee.

Lord *Brougham* entirely concurred in the course proposed. All who took any part in the discussion of this measure were actuated only by one motive, to secure to literary men as much advantage from their works as was consistent with the due protection of the rights of others.

Bill to be read a second time without discussion.

MAGISTRATES OF SUNDERLAND.] The Marquess of *Normanby* had now to request their Lordships' attention to the subject which he had mentioned just before the rising of the House on Friday last. But before he put the question to the noble Marquess (the Marquess of Londonderry) of which he had given notice, he begged to say one word as to the order of their proceedings. He found the other night that a disposition was shown to adhere strictly to a rule of the House to which, on previous occasions, he had not observed that much regard had been paid. He had no objection to raise upon that point, provided that the application of the rule were made stringent and uniform, and to extend to all cases without exception. He owned however, that he had felt the other evening a strong feeling of disappointment, mingled perhaps, with other feelings, when he found that hon. men who came forward at the earliest moment to repeal unfounded aspersions upon their character, were prevented by the rules of the House, and by the backwardness of the noble Marquess (the Marquess of Londonderry) their accuser, to whom with a generous confidence they had trusted to make their defence as public as he had made the charge—he regretted, he said, to find that men, so aspersed and so anxious to defend themselves, were prevented by the rules of the House, and by the noble Marquess's backwardness, from entering upon the vindication of their character and reputation at the earliest possible moment. Acting under that feeling, he had determined to afford to those gentlemen an opportunity of putting their vindication before the House upon record, and of rendering their denial of the charge brought against them, as public as the charge itself. He merely mentioned this, in reference to the order of proceeding, that had been adopted on a previous evening. Upon the present occasion, he was ready to confine himself, and he thought it would be most advisable, that the noble Marquess (the Marquess of Londonderry) should also confine himself, to this single and simple point, "Does the noble Marquess adhere to, or is he inclined to retract, the accusation he made against the magistrates of Sunderland on a former evening?" He had no objection to enter again into the general question, upon the proper occasion, but he appealed to their Lordships whether, that evening, it would not be more desirable, that they should confine themselves to the specific point to which he had adverted? He asked this, because the noble Marquess (the Marquess of Londonderry) had intimated an intention of referring to some other points. He certainly thought it was incumbent upon the noble Marquess to prove or retract the aspersions he had already thrown upon the character and reputation of a body of honourable men, before he proceeded to throw out any more. He believed, that there would be no dispute as to the words which the noble Marquess had used on the occasion. His recollection exactly confirmed what these gentlemen alleged the noble Marquess had said of them. It was true, that he was not paying much attention to what fell from the noble Marquess, but all the reports of the newspapers in which any notice was taken of the noble Marquess's speech, were substantially the same; and, indeed, he understood, the other evening, that the reason of the noble Marquess for resisting the appeal which was made to him, to vindicate the conduct of the gentlemen he had accused, was, that he was prepared to maintain the truth of all that he had asserted against them. With these preliminary remarks, he would proceed to read, as part of his own statement, and as a reason for venturing to put the question with which he should conclude, to the noble Marquess, a statement which had been put into his hands as the defence of the magistrates of Sunderland against the charge which the noble Marquess had made against them. It was in these terms:—

" *Mayor's Chamber, Sunderland,*
" *May* 4, 1842.

"At a meeting of magistrates of the borough of Sunderland—Present, Richard Spoor in the chair (in the absence of Sir Hedworth Williamson, Bart., the mayor, who is now in London), Andrew White, John Lotherington, Joseph Brown, Joseph Simpson, Richard White, Edward Backhouse, William Bell, Walker Featherstonhaugh;

"An extract from the *Morning Chronicle*, of the 30th ult. having been read, in which the Marquess of Londonderry is represented to say, in his place in Parliament, 'That the late Government appointed ten magistrates in Sunderland, all of whom were Whigs, and the consequence was, that at the last election they refused a license to every individual who would not vote in accordance with their (the magistrates') Whig principles;'

"Resolved unanimously,—'That the allegation made, that "the late Government appointed ten magistrates in Sunderland, all of whom were Whigs," is incorrect, two of the gentlemen alluded to, having been, at the time of their appointment, and still continuing, of Conservative principles.'

"Also resolved unanimously,—'That the allegation made, that "the magistrates at the last election refused a licence to every individual who would not vote in accordance with their (the magistrates') Whig principles" is totally without foundation, the following being a correct statement of the applications made, and the decisions come to on the occasion alluded to, and when not less than four Conservative gentlemen, resident in the borough and in the commission of the peace (the justices for the county of Durham having concurrent jurisdiction with the justices of the borough), were on the bench.

"'The total number of applicants was sixteen. To five of these, licences were granted. One of these five licences was granted to a clerk of one of the most strenuous supporters of the Conservative interest in Sunderland, both master and clerk voting for Mr. Attwood; a second was granted in the same vicinity, which had lately become most densely populated: a third was granted in respect of a very house establishment, which had lately been erected by public subscription, near the seashore, for the accommodation of visitors; a fourth was granted to a widow (without political interest); and the fifth was granted in lieu of an old-established licence held by the applicant, upon condition that the old licence was not renewed, which condition was complied with.

"'With regard to the eleven individuals, whose applications were not granted, four voted for Lord Howick, two for Mr. Attwood, and the remaining five were not voters. One of the two who voted for Mr. Attwood, the Conservative candidate, had previously supported and voted for the Whig party, but in this instance, openly declared his intention to vote for Mr. Attwood, in consequence of his previous applications for a licence having been rejected.

"'In conclusion, the magistrates, though sorry to have occasion to assert it, have ever acted on the principle of discharging all their functions on the bench, whether in the licensing of public-houses, or those more strictly judicial, regardless of party or political considerations, and with reference merely to public duty and justice; and in this course they purpose to persevere.'

"RICHARD SPOOR,
Chairman."

This statement of the magistrates, satisfactory as he should have thought it must have been to everybody, was accompanied by the following letter, signed by the chairman of the meeting of the magistrates, Richard Spoor, and addressed to the noble Marquess opposite, repelling, in the most respectful manner, the charges which the noble Marquess had made against the magistracy of the borough. The reason assigned by the noble Marquess the other evening, for not acting upon this letter was, that it proceeded from some six or eight Whig magistrates. Now what would be thought of the knowledge of the noble Marquess on the subject of the magistracy of the county over which he presided as Lord-lieutenant, when the House was informed that the Mr. Spoor who had signed the letter to the noble Marquess was a Conservative? Mr. Spoor's letter to the noble Marquess was in these terms:—

"*Mayor's Chamber, Sunderland,*
May 4, 1842.

"My Lord—As chairman of a meeting of the magistrates of this borough appointed by her Majesty's late Government, I have the honour of transmitting to your Lordship a copy of their resolutions.

"By these your Lordship will perceive either that the newspaper report is incorrect, or that your Lordship has been led into error. In either case I feel convinced that your Lordship will be anxious to correct, in your place in Parliament, on Friday next, any erroneous impression which may have been made on the public mind regarding the conduct of the Sunderland magistracy.

"I have the honour to remain, my Lord,
"Your Lordship's most humble
and obedient servant,
"RICHARD SPOOR.

"*The Most Noble the Marquess of*
"*Londonderry, Holderness House.*"

[The Marquess of *Londonderry:* Read the postscript.] There is no postscript. Was it possible, he would appeal to their Lordships, whether a more proper, more respectful, more gentlemanlike address could be made to the noble Marquess than that of Mr. Spoor? And he put it to any one of their Lordships, if they had received such an appeal to their feelings, what would have been their conduct? Was there any one of their Lordships who would have sheltered himself under the technical plea that the appeal was not made to him by his Peer in Parliament, and therefore that he was not obliged to do justice to those whom he had aspersed. What, after all, would such conduct amount to but the claiming, as a Member of that House, an immunity (which the law allowed as a protection for the exercise of high functions, but never intended to be perverted to lower and less worthy purposes) from all legal proceedings which might be taken against any individual in any other place who might venture to speak so erroneously and so injuriously against the character of an upright and an unoffending man. He was one of the last persons who would question the value of the privileges of Parliament when applied to the great interests of the country; but he was satisfied that it would soon be held by the country to be an intolerable and an unjustifiable nuisance if persons were enabled to avail themselves of it to refuse to render justice after they had committed wrong. What was required of the noble Marquess on the receipt of the letter which he had read? The noble Marquess need not have expressed any opinion; but he was bound, on receiving this intimation from the magistrates, whose conduct he had impugned, to make their vindication as public as he had made the accusation. Could any of their Lordships believe that these Gentlemen were not speaking the truth? There were eight of large and expensive bathing and lodgingthem assembled together, they were speaking of the acts which they had themselves committed, and they signed a solemn declaration that they had committed no such act as the noble Marquess had attributed to them. In what a situation, then, would they be placing themselves if they were not supported by a perfect consciousness of the truth of every word they asserted. What was the charge which the noble Marquess made against them? That they had refused a licence to every individual not of Whig principles. How was that charge met by the magistrates? In the clearest and completest manner. They expressly resolved, without one dissentient, that the charge was wholly without foundation, and they disproved it by a reference to facts. He believed that he might here very safely leave the question, as far as related to the magistrates of Sunderland; but he felt bound to add one word in justice to one individual, named in the paper to which he had called their Lordship's attention. The mayor of Sunderland was Sir Hedworth Williamson, the late Member for the northern division of the county, and high sheriff, and those who knew him must feel that there never existed a person in the world less likely to pervert his judicial power to any party purpose. He had constantly acted as chairman at the quarter sessions, and had authorised him to say that no licenses had ever been refused on the ground of politics. Besides Sir Hedworth Williamson had assured him that he never heard of such a thing discussed as the granting or withholding licences on party grounds. When he stated this, he thought he was strengthening the case of the gentlemen who had been so unfairly dealt with by the noble Marquess. Who was it that made this accusation against the magistrates of Sunderland? The Lord-lieutenant of the county whose duty it was, if he believed the information upon which he acted to be true to make such representations to the Government as should lead to the instant dismissal of magistrates who had so grossly abused their power. But it appeared to him that those gentlemen, in repelling the accusation made against them, were speaking the plain and simple language of truth. If they were doing so, the noble Marquess had been induced, by the most extraordinary credulity, and upon most unworthy information, to make an accusation which had no foundation in fact. Nobody doubted that the noble Marquess believed what he stated to be true; but with the opportunity which his situation of Lord-lieutenant of the county afforded him of obtaining the most correct information upon the subject, his credulity was doubly blameable. The conduct of the noble Marquess in this matter confirmed him, in the opinion that his appointment to the Lord-lieutenancy of the county of Durham was a most unfortunate one. What were the qualities that should distinguish a Lord-lieutenant? Perfect fairness, perfect impartiality, and above all, a rigorous and careful spirit of inquiry which should lead to the perfect conviction of his mind, before he adopted any particular act. There had been instances in which the expression of an opinion of Parliament as to the unfitness of particular individuals to fill particular situations, although followed by no specific vote, had yet had an effect, and been followed by consequences. He wished to remind her Majesty's Government of that fact. He said that this act of the noble Marquess was, of all others, the most inconsistent with the due discharge of the duties of a Lord-lieutenant? That he, who should be the vindicator of the character, the supporter of the rights of the magistracy, whilst he was at the same time the careful superintendent of all their acts—that he, in his place in Parliament, should have made a statement against the magistracy which they at once found, by reference to documents, to be utterly unfounded—that he should have done this, showed that he was wholly and totally unfit for the situation to which her Majesty had been advised to appoint him. Nothing could prove any one more unfit for such an office than a determination, in spite of all proofs, not to render tardy justice to persons who felt they had been most undeservedly censured. He had the greatest respect for the private character of the noble Marquess, and in expressing himself so strongly now, he confined himself to the public position and the public acts of the noble Marquess, and would conclude by putting the question to the noble Marquess, of which he had given notice, whether he was disposed to retract or adhere to the accusation which he had made against the magistrates of Sunderland?

The Marquess of *Londonderry* had listened with the greatest attention to the speech of the noble Marquess, and it appeared to him that the noble Marquess desired to make an attack upon her Majesty's Government; the latter part of the speech certainly seemed pointed against the appointments of that Government—questions which he thought ought not to have been mixed up in the statement that had been made by the noble Marquess. When the noble Marquess had brought forward all his statements on the subject of the magistracy on a former occasion, he had been met by the unanswerable arguments of the noble and learned Lord on the Woolsack; but the noble Marquess had, nevertheless, armed himself again in every way for the purpose of coming down to the House and renewing a determined attack upon the same subject as connected with the humble individual who then addressed their Lordships. Considering the ability of the noble Marquess, his experience, and the high situations he had filled, what fell from him ought to have weight and authority, but before he sat down, he trusted he should stand excused before their Lordships, and be entitled to claim their verdict of acquittal from the charges brought against him by the noble Marquess. He must, at the same time declare, that he had felt the other evening somewhat hurt at the want of courtesy on the part of the noble Marquess; for if it had been the intention of the noble Marquess to ask the questions he had then put, the noble Marquess might in the morning have given some notice to him, in order that he might have come down prepared to answer; and he was the more disposed to think so, because in a postscript, to the communication he had received from Sunderland, was an intimation that copies of the resolution of the magistrates had been sent to the Marquess of Normanby and Sir H. Williamson. He had asked the noble Marquess to read that postscript. [The Marquess of *Normanby*: There was no postscript to the letter I got.] There was one in mine, which said,

> "A copy of the resolutions has been forwarded to my Lord Normanby, as also to Sir Hedworth Williamson, who is now in town."

The Marquess of *Normanby*: The noble Marquess must see that such a postscript could not be in a letter addressed to me.

The Marquess of *Londonderry*: Why not? It gave information, that the resolutions were sent to Sir H. Williamson as well as you. He trusted, now, he might be allowed to state, in his own way, the reasons why he had not volunteered a statement on this subject on the former evening. By the postscript he had alluded to, he was led to believe that either the noble Marquess or Sir Hedworth Williamson would have acquainted him in the course of the morning of the receipt of such a communication, as they had got, and he had waited at home in such expectation. Under the circumstances, he did not conceive that it would have been regular in him, upon coming down to the House, to presume to originate any proceedings upon the letter and resolutions of the mayor and council, and, therefore, he did not take the initiative. That, he apprehended, was the proper and dignified course to take. On the 20th April, the subject of the magistrates had been under discussion, and on that occasion he stated, that there were ten Whig magistrates in Sunderland. On the 23rd of the same month, he received a letter from a respectable resident friend, which was as follows:—

> "In Whig times, there was only one Conservative borough magistrate in all the boroughs in Durham, and in Sunderland, the appointments were all Whigs, and no Conservative. In Sunderland, the Whigs have still a majority of two, and in Gateshead the Conservatives have now four, and much they were needed, for Gateshead had a Radical agitator appointed by the Whigs, whilst all the Conservative appointments were men who had taken no public part; and Gateshead has now only its proper number in comparison with other boroughs. In the county I find the Whigs have a majority of sixteen, and this is reckoning all the parsons, who, with few exceptions, never act. There are in Sunderland ten magistrates appointed by the Whigs, and all Whigs—Sir H. Williamson, Mr. W. Bell, Mr. J. Lotherington, Dr. Browne, Mr. J. Simpson, Mr. R. Spoor, Mr. A. White, Mr. R. White, but was Conservative before his appointment; Mr. E. Backhouse, and Mr. W. Featherstonhaugh."

The magistrates said, there were two Conservatives, but they did not name the two; was he then to take their declaration, when he had such information as he would read in the letter of another friend, on whose authority he could rely? One letter stated that this Mr. Spoor was only a pretended Conservative. [The Marquess of *Normanby*: Name the writer.] He would give the name to the noble Marquess if it were the pleasure of the House. The writer of the letter said, that if Mr. Spoor were only a pretended Conservative, it was very laughable, for he had voted for Chaytor and Lambton, and this was the Mr. Spoor who signed the letter. He was justified then in what he stated; and was it, let him ask, a matter for which he was to be censured? He was sure, that with such information as he possessed, the noble Marquess would have acted as he did. The writer, who was Mr. Wright, a most respectable, intelligent, and influential man, said, that Mr. Spoor sometimes voted for Chaytor and Lambton, but generally he voted for Thompson, and pretended sometimes to be a Whig, and sometimes a Conservative. From the documents which he held in his hand, it was quite clear that ever since Mr. Braddyll's election, Mr. Spoor had voted with the Whigs. It also appeared upon authority equally good, that Richard White had joined the Whig party; his correspondent observed, that Mr. White had been considered a Conservative, but yet there could be no doubt of this, that he said at the last election that if he voted for any one, he should vote for Lord Howick. This, as his correspondent remarked, was a pretty specimen of his Conservatism. If any of their Lordships would take the trouble of going through the long papers with which he had been furnished on the subject, they would see that the statements which he had made were fully borne out by the evidence. They would also see that the late Government had appointed none but Whigs to fill the office of magistrate in Sunderland and in Gateshead. Amongst the accusations brought against him by the noble Marquess was this—that he said the borough magistrates of Sunderland granted licenses to persons of their own political opinions, and refused them to those who held Conservative opinions, or supported Conservative candidates. The observations which he had made in that House on the subject had been, as usual, reported in the newspapers; but it so happened, that the *Morning Chronicle* put an interpretation upon his remarks which did not accord with the words he used, or with those imputed to him by the other journals. He did not carry his charge against these borough magistrates to the extent which the construction put upon his speech by the *Morning Chronicle* would seem to warrant. His allegations were, that they were not wholly free from the influence of political bias, nay, he had no doubt that they might have been very much influenced by their political feelings; but he did not go the length of saying, as he had been represented to have said, that they had in every case refused licences to Conservatives, and granted them to their own supporters—that they, in fact, refused licences to all who did not vote at the last election in favour of the Liberal candidate. He might have said, that the magistrates, being all Whigs, and having the power of licensing given them, possessed an undue and improper influence, which he had heard and believed they might have abused. But they never could have been so absurd as to profess they would not give licences to Conservatives. To him it appeared singular, that the *Morning Chronicle* should have been the only paper which appeared to misapprehend the purport of his remarks, and put a construction on them which he did not think they warranted, and he thought also that he had a right to complain of the want of candour with which he was treated in that journal. He hoped their Lordships would allow him to read an extract from a letter which he had received from Sunderland, and which he thought was well calculated to throw light upon the present inquiry:—

"There was a quarterly meeting of our corporation yesterday, at which I was present. After the business was disposed of, and there had been long discussions on various matters, the parties present got up to go away, when the town-clerk said there was some other matter to be transacted, and began to read some papers relating to the borough-rate, which I fancied was some matter of form as to laying on the rate, and therefore, having another appointment, I came away. I have since learned, that after I had left the council-room, a political Quaker of the name of Hill, a shopkeeper, set on, I have no doubt, by some of our Whig justices, produced a *Morning Chronicle* newspaper, and called the attention of the corporation to your Lordship's speech in the House of Lords, in which you are reported to have said, that since the last election, the ten Whig justices refused to grant any license to anybody, unless he were of their own party, and the Quaker urged upon the council, that as they had recommended these ten Whig justices to the late Government for appointment, the corporation were bound to vindicate the justices from such an unfounded attack. Upon this I understand a discussion ensued, the two or three Conservatives who happened to have remained (nearly all the Conservatives having left) contending that the report was incorrect, that it was different in other papers, that the corporation had no business in the matter, and that it was ridiculous for the council to permit the malignant party feelings of the Quaker to be tolerated at that board. It ended by the Quaker carrying a motion that the meeting should be adjourned for a fortnight, and that in the meantime, the town-clerk should make inquiry, and ascertain whether your Lordship had made such a charge against the Whig justices, or not. So the affair stands. I wish much I had been present, but I had no idea that the matter would have been brought on, or, indeed, that any further business beyond matters of form about the rate was to be transacted. I have no doubt they laid off until they saw I had gone, and in fact until nearly all the Conservatives had left the room. I have no doubt your Lordship did not say what the *Morning Chronicle* represents, but that all that your Lordship would say would be, that as these Whig magistrates had the power of granting licenses, it gave them an undue influence at elections, but without bringing any charge that they avowedly refused licenses to any except their own party."

There had been an explanation attempted of these matters, but he was informed, that the meeting at which that explanation had been proposed was a secret meeting, where none but those who belonged to one party attended. They got the meeting up after an adjournment of the first meeting and that of course prevented a fair examination of the question. The explanation given at that meeting set forth that sixteen licenses were applied for, that five were granted, and that one of them was granted to the clerk of one of the most strenuous supporters of the Conservative candidate (Mr. Attwood), but they did not state who that clerk was, or how he himself voted. They stated that only five licenses were granted. It might be so; but they took care not to tell the public to whom those five licences were granted—no information as to whether the parties who got them were Whigs or Conservatives. What was the inference? Why, that every one of them belonged to the same party as the magistrates who granted those licenses. If the noble Marquess wished to convince himself and the House that he had been in error, and that the statement of the Whig magistrates was the only statement to be relied on, then the noble Marquess had better move for a return of all the licenses granted in Sunderland from 1836 till 1842, distinguishing by the poll-book the politics of the publican, shewing whether he voted for Whig or for Conservative. He had stated to their Lordships the substance of the communications which he had received, and he had read some documents to them at length, but the information which reached him was not derived from one source alone. His information was sustained by testimony from different quarters, some of which, with the permission of the House, he would read. It was a letter from a person in Sunderland:—

"I trust your Lordship will excuse the liberty of this letter, but a charge has been brought against me which is destitute of truth, and although it has been published only in a low and obscure newspaper (the *Sunderland Herald*) it may possibly meet your Lordship's notice, and therefore I beg permission to set myself right without loss of time. At the close of the quarterly meeting of our town-council, held on Wednesday last, after Mr. Wright and several members had left, and the whole were on the point of leaving the room, amidst much confusion, Mr. James Hill, a Radical Quaker, called the attention of the few remaining members of the board to a newspaper report of your Lordship's speech in the House of Lords on the conduct of the Liberal magistrates of this borough. Some very improper remarks upon your Lordship were made, and I took my part in repelling them, by stating in substance and I believe very distinctly, that Lord Londonderry was incapable of making a false statement, and if the question was put even to that meeting, I was satisfied it would be so decided; and further, that I was quite sure no one present believed the charge brought against Lord Londonderry, and, therefore, the shortest plan was to submit that question to the meeting. The *Herald* party, to answer their own vile purposes, and to make an attack upon your Lordship, gave a very different reading of the matter, and made me the defender of the Whig magistrates, instead of your Lordship, my remarks being thus reported.—'Certain charges are alleged to have been made against the magistrates, why not take the sense of the meeting whether they are true or not?' The charge here is by substituting the magistrates for Lord Londonderry. Again—'There is no one here believes the charge, and what can you do?' The perversion in the first extract makes the disbelief in the second to apply to Lord Londonderry; whereas, had the first been correctly given, the disbelief would have been that Lord Londerry would have acted improperly. Again, 'If the Marquess ever made the charge, I am sure no person believes it.' Whilst I said, 'I was sure no person believed the charge made against the Marquess.' And thus by a very slight, but a most wicked, transposition of my words, I am reported to have given utterance to sentiments the very reverse of what I really said."

He trusted that he had now succeeded in giving to the noble Marquess a sufficient reply. If the noble Marquess would move for the return to which he referred it would then be clearly seen by the House whether he were right or whether he were wrong. As to the noble Marquess's allusions to the unfitness for the appointment of Lord-lieutenant; whatever might be the good taste and propriety of his remarks, or by whatever motives instigated, he assured the noble Marquess that he cared not for any appointment, only so far as he could in holding it, promote the public interest, or render himself useful in the public service, but he thought it was hardly worthy of the noble Marquess to get up an attack upon him for the purpose, as he vainly imagined, of "flooring him." He ought rather to direct his attacks against more distinguished Members of the Conservative party—against those with whom he would be more equally matched, and again exhibit the same spectacle which he did the other night. He confessed, too, that he noticed with regret the animosity with which the attack was carried on. He had seen a good deal of the noble Marquess formerly in Durham, and he thought that kindlier feelings might have been shown; but of this he should at present say no more. He should merely observe, that the noble Marquess's proceedings appeared to have been carried on as if it were supposed that he would fall a weak and easy victim to the first assault. Perhaps, also, the circumstance of his being selected might be accounted for by his having been the first to raise the standard of Conservatism against Whig domination in the county of Durham. It was well known that he was the first to endeavour to stem the political influence which by a dexterous management of the Reform Bill was created in that county for the benefit of the Whigs. Before he sat down there was a point to which he wished to refer. It had been supposed by an hon. Gentleman in another place, that he attempted to cast reflections upon the character and conduct of the noble Duke who preceded him in the office of Lord-lieutenant of the county of Durham. He never did any such thing nor anything like it; he stated to the House the position and circumstances in which he found the county magistracy; but he never said one word against his predecessor. However he might, when living, have differed with him in politics, the more especially as the power of recommendation was not altogether vested in him, but had been exercised by Bishops of Durham, at all events he had been silent on the subject. In another instance, also, there appeared to have been a great misconception with respect to something that had been said in another place. In alluding to Gateshead, and the revolutionary feeling which prevailed in that town, he made no mention whatever of the present Member for that borough; all that he stated was, that the former Member for Gateshead was in the habit of annually bringing forward a motion to exclude Bishops from the House of Lords; and that circumstance showed, as he thought, a strong revolutionary tendency in those who sent him to Parliament. Now this, it appeared, had brought on him a most undeserved attack, it was said, that he employed his princely fortune and used his political influence in a manner that alienated from him the respect of the county in which he resided. Of course, it was the right of any one to attach or withhold respect as he pleased; but it was too much for any individual to take upon himself to be the organ of a great county. That gentleman had been but recently transferred from Hull to Gateshead. He had been recently introduced into the county, and it was difficult to discover from what sources besides his own party feelings he derived his information. If sentiments such as those had been delivered by a great and dignified character, such as his noble Friend behind him, or even of any distinguished statesmen over against him, they would sink very deep in his mind; but considering the quarter from which they really came, he utterly disregarded them, and he would pay no attention to anything which came from one who was in the habit of bandying about such terms as "calumniator" and "liar." He should only say, that such accusations from such a quarter not only passed by him as the idle wind, which he regarded not, but he considered that the expression of them reflected honour, and not disgrace.

The Marquess of *Normanby* observed, that the noble Marquess had not stated the names of the parties from whom he had received his information: he addressed the House at considerable length, and left that out altogether. He had not told the House who it was who informed him that the magistrates of Sunderland had used their functions for party purposes.

The Marquess of *Londonderry* recommended the noble Marquess to move for the return which he had suggested.

The Marquess of *Normanby*: Will the noble Marquess adhere to his charge? The words may be different but the charge was, that the magistrates had used their magisterial functions for party purposes in granting licences. The noble Marquess has given no explanation. I pause to give him an opportunity of doing so.

The Marquess of *Londonderry:* I think I have given the noble Marquess every possible information. My impression, from what was within my own knowledge and from information I received, was, that they, like other magistrates in many other counties, used their power of granting licences for purposes of political partisanship.

The Marquess of *Normanby*: Now, there can be no longer any dispute about the words, for the noble Marquess has repeated the substance of the charge—that these magistrates, as well as others, have used their magisterial functions for political purposes. On the part of the magistrates of Sunderland I repudiate the charge, and I have stated the grounds upon which I do so, and I ask the noble Lord whether he had any other authority than his own impression, when he made the charge against these magistrates, that they so used their magisterial power? The noble Lord had said that the magistrates got up a hole-and-corner meeting. There is a strange confusion in the mind of the noble Marquess. The meeting consisted of all the magistrates against whom the noble Lord made his accusation, and they have stated the grounds upon which they deny the accusation. I am surprised that the noble Marquess can think that such an explanation as he has given to your Lordships could, in the slightest degree, be satisfactory. I must say that there has been a complete misapprehension with respect to the former Lord-lieutenant of the county—the Duke of Cleveland. The number of county magistrates appointed in his time was twenty, of whom twelve were Whigs and eight Tories. And, with respect to the noble Marquess's allusion to the manner in which a Gentleman, a Member of the House of Commons had come into the county, I must say that that Gentleman came into the county, I believe, in the same manner in which the noble Marquess came into it, namely, by marriage.

The Duke of *Wellington* would not prolong an irregular discussion; he should only trouble their Lordships by remarking, that he thought one of the topics of the noble Marquess (the Marquess of Normanby) might as well have been omitted, namely, a reflection on the Government for having appointed his noble Friend Lord-lieutenant of the county of Durham. Now, his noble Friend was the head of one of the greatest properties in the county; he had rendered services to the county of Durham; he had liberally expended a large sum of money in making a harbour in that county; and he did think, that the attack of the noble Marquess upon the Government for selecting his noble Friend to fill this office in the county of Durham, which was vacant—founding his attack upon this, that his noble Friend had thought proper to resign the office of Ambassador to St. Petersburgh because he had not the confidence of the House of Commons in that office—was not quite fair and proper. He should make only one more observation. He agreed with his noble Friend that he was quite right in not volunteering to come forward on the subject of the letter, when he received it, had he reason to believe that he would have heard from the noble Marquess or some other noble Lord on the subject. He knew well that it was the practice of some most respectable Members of Parliament not to explain in Parliament words which might have fallen from them either in the heat of debate or otherwise, when they might be questioned about them out of doors. He did not mean to say that that course was invariable, and that it might not be departed from with great propriety on many occasions, and, in the event of any injustice being done, that the party doing it might not think it his duty at once to atone for it in the House. But it was not the practice for Members of either House of Parliament to come forward to explain at the moment when persons out of doors might think proper to require it, and if his noble Friend had so come forward, he would have made himself instrumental to a breach of the privileges of the House. He would not trouble their Lordships further than to express his belief that, in all the county of Durham there was not an individual upon whom the appointment could have been more properly conferred than his noble Friend.

House adjourned.

HOUSE OF COMMONS,

Monday, May 9, 1842.

MINUTES.] BILLS. *Public.*—2°. Double Costs.
Reported.—Property Tax; Ecclesiastical Residences.
Private.—1°. Cass's Estate.
2°. Boston Harbour (No. 3); London Bridge Approaches and Royal Exchange Avenues; Market Harborough and Brampton Road; Metropolitan Patent Wood Paving Company (No. 2); London and Greenwich Railway (No. 3); York Cathedral; Imperial Bank of England; Brit-

well Inclosure; Bates's Naturalization; Ely Place Improvement; Clerkenwell Improvement.

Reported.—Fierville's Naturalization; Benecke's Naturalization; Ferry-bridge and Borough-bridge Road; Warkworth Harbour; Stockton and Hartlepool Railway.

PETITIONS PRESENTED. By Mr. Turner, and Mr. Leader, from Truro, Forfarshire, Plymouth, and St. Pancras, against the Property Tax Bill.—By Mr. Gregory, Mr. Hardy, Mr. Plumptre, and Sir R. Inglis, from Alnwick, Walsall, Ramsgate, and Kessingland, against any further Grant to Maynooth College.—By Lord Ebrington, Lord Mahon, Lord Joceyln, Mr. Plumptre, Lord Ashley, Sir H. Douglas, and Mr. Ferrand, from Ossett, Holbeck, Hunslet, Leeds, Mirfield, Bingley, Harden, Shipley, Lindley, Rossary, Sittingbourne, Armley, Wodehouse, Keighley, and Marsden, for further Limiting the Hours of Labour of Young Persons in Factories.—By Mr. G. Bankes, and Mr. C. Bruce, from Sturminster, and Forfarshire, against the Importation of Foreign Cattle.—By Mr. P. Howard, from Pollington, Heckinondrwyke, Wigton, and Hinckley, for Equality of Civil Rights to Roman Catholics.—By Mr. Villiers, from Kendal, Dartford, Bridgeton, and Nantwich, for the Repeal of the Corn-laws.—By Mr. T. Duncombe, from Pentonville, for a system of Religious Education for the Poor; and from West Fifeshire, praying the House to pay more Attention to Petitions presented from the People.—By Mr. Ricardo, from Lambeth, and New Cross, for the Abolition of the Tolls on Waterloo, Southwark, and Vauxhall Bridges.—By Sir E. Filmer, from Maidstone, for Alteration of the Poor-law Amendment Act.—By Mr. G. Palmer, from parties connected with the Leather Trade in Essex, against the proposed Reduction of the Duty on the Importation of Leather.—By Mr. Sanderson, from the Attornies and Solicitors of Colchester, and Worcester, for a Repeal of the Certificate Duty.—By Mr. Roebuck, from Nottingham, for an Inquiry into the Withdrawal of the Nottingham Election Petition.—From Tewkesbury, for the Better Observance of the Sabbath.—From Leeds, to empower Town-councils to appoint Local Rates Committees Annually to superintend the Levying and Collecting Local Rates.—From Southampton, for the Suspension of the Election Writ.—From Kettle, for Universal Suffrage.—From Clonmel, against the Fisheries (Ireland) Bill.—From Dundee, in favour of the proposed Commercial Reforms.—From Ardeany, Annaduff, and and other places, for Alteration of the present system of Education (Ireland).—From Worcester, Kendal, and other places, against the Turnpike Roads Bill.—From Reading, for Inquiry into the Withdrawal of the Reading Election Petition.

TIMBER TRADE.] An hon. *Member* inquired of the right hon. the Chancellor of the Exchequer whether he could give him such information as would set at rest the rumour afloat with regard to the new timber duties—namely, that timber imported before the 10th of October next would be liable to the present duty? As such a rumour was calculated to prejudice the trade in timber, he should be glad to know whether timber imported before that time would pay the old or the new duty?

The *Chancellor of the Exchequer* said, no previous application had been made to him for information upon this point; but he believed he might tell the hon. Member that timber imported previous to the 10th of October and in bond would pay the duty in force at the time of its being taken out of bond, but that which was taken out of bond before that period would be liable to the duty in force at the time of its importation.

The hon. *Member* said, he was perfectly satisfied with the answer of the right hon. Gentleman, as it would put an end to the rumour.

MAGISTRACY (IRELAND)—MR. BIDDULPH.] Mr. *Sheil*, seeing the noble Lord the Secretary for Ireland in his place, would take that opportunity of asking him a question respecting a matter to which he had claimed the noble Lord's attention on a former occasion. It appeared that Mr. Biddulph, one of the magistrates of King's county, a gentleman of considerable respectability, was fired at some time ago, and two persons, named Doherty and Calvert, had been tried for firing at him with intent to kill. No less than three trials had taken place; two under the late Government. In another place a complaint was made by Lord Charleville respecting the constitution of the first jury, who, it appeared, could not agree in their verdict, and at the second trial one of the jurymen was taken ill. At the late spring assizes of the King's county those two persons were acquitted, the jury being unanimous. It appeared that a counsel of great eminence, Mr. Keating, was sent down to conduct the prosecution, to which much importance was attached; and upon the examination of Mr. Biddulph, he, the prosecutor and a magistrate, admitted that he had conveyed advice to the prisoners, who were charged with the felony, to fly the country and escape from justice. Mr. Murphy, the counsel who cross-examined the prosecutor, said—

"I leave you now in the hands of the Attorney-General."

And that was said in the hearing of Mr. Keating, who appeared there as the deputy of the Attorney-general. It was also stated, that the steward of the prosecutor, a person named Castles, was sent by him to the prisoners, to tell them to fly the country. Now, he had understood that Mr. Biddulph had since been dismissed; and he wished to know on what day the trial took place, and what was the date of the *supersedeas* more especially?

Lord *Eliot* believed, the hon. and learned Gentleman had accurately stated the facts of the case, but at that moment he was not able to state the dates required by the hon. and learned Gentleman; he would, however, prepare himself with the necessary information. The Lord Chancellor, after investigating the circumstances of the case, had dismissed Mr. Biddulph from the commission of the peace in the King's County. The first information which had reached the Government was through the question which had been put by a noble person in another place, no representation of the circumstances having been made to himself by the Attorney-general.

ELECTION COMPROMISES — ADJOURNED DEBATE.] Mr. *Roebuck*, having moved that the Order of the Day be read, for resuming the Adjourned Debate on the motion for the appointment of a Committee to inquire into the alleged cases of Breaches of the Privileges of the House mentioned by him on Friday, said, he had a petition to present on the subject from the borough of Reading, signed by eighty electors of that borough. The petitioners referred to the circumstances related by him to the House on Friday, respecting the Reading election petition, and they declared, that they believed the charges contained in such petition were all and severally true, and that the object of making the arrangement respecting the seats for that borough was to prevent the disclosure of the corrupt practices by which the return of Lord Chelsea and Mr. Russell had been effected. The petitioners concluded, by praying the House to appoint a committee to prosecute an inquiry into the proceedings, of which the parties to the election petition complained.

Petition to lie on the Table.

Order of the Day read.

Major *Beresford* said, that it had been his intention on Friday night to have addressed the House, after the very personal manner in which he had been attacked, by the hon. and learned Member opposite (Mr. Roebuck), but the adjournment of the debate had prevented his so doing. He trusted that the House would now bear with him patiently, (more especially as he was not in the habit of obtruding himself upon the attention of the House, and as the present case was one of so peculiar a nature,) while he addressed to them a few observations in consequence of the pointed manner in which he had been alluded to, and it being a case, also, in which his personal honour was so much concerned. He rose for the purpose of appealing to the House, to acquiesce in the motion, as far as his humble voice might go to insure its adoption, in order that the committee asked for might be appointed. If it should be appointed, he hoped it would be a searching one, and one, before which, others might be willing, as fairly and honestly as he was ready to do, to redeem the pledge he gave the House, when he was asked those unparliamentary questions which were put to him by the hon. and learned Member for Bath. The question put to him by the hon. and learned Member was altogether a novel one, and one which many persons entertained strong doubts as to whether the hon. and learned Gentleman had a right to put at all. He declined answering the question so put to him, and if it were repeated, he should again decline answering it; but he begged at the same time to say, that he never had declined, nor ever should decline, answering that or any other question which might be put to him by those who had authority to do so. He did not, therefore, object to the motion of the hon. and learned Gentleman for a committee, but he did object, and with reason, to the manner in which he asked for it, and to the matters which he brought forward in support of it, and to the tone and gesture with which he enforced it. On the subject of the committee, then, he fully concurred with the hon. and learned Gentleman; but with respect to the grounds on which it was asked, he did not. The hon. and learned Member had charged him personally, with bribery and corruption, but what were his proofs? Did he bring forward any? No; all that he stated was, that rumours were abroad: but the hon. and learned Member, almost proverbially, surely had forgotten that rumour had been called a lying jade. The Roman poet might have reminded him of it—

"Tam falsi pravique tenax quàm nuncia veri."

Rumours were abroad! exclaimed the hon. and learned Gentleman. Yes! rumours were abroad. He, too, had heard of rumours, perhaps as well founded as those which the hon. and learned Gentleman had heard. He had heard, that the hon. and learned Gentleman had been returned to that House without a qualification, and that on the very day that a qualification was executed for him in London, he swore at Bath, that he had it. That was one rumour, about as well founded, perhaps, as that upon which the hon. and learned Member had based his charge against him. Rumours! yes, there were rumours. He had heard another rumour, too, of late. He had heard, that it was not patriotism alone, but that an evil feeling of personal hostility, also, had excited the hon. Member to his present course. Perhaps that was untrue also. But he came not down to point the finger of scorn and malevolence at the hon. and learned Member opposite, but this he must say, that the hon. and learned Member was establishing a dangerous precedent, and one which ought not to be tolerated. Though he might be justified in pointing the finger of scorn at the hon. and learned Gentleman as he had pointed it so conspicuously at him; he would abstain. It was better, that they should go before a committee regularly and fairly appointed before an honest and impartial tribunal, where these rumours might be dispersed, and the characters of those who had been impeached, might be vindicated—than to be called on to do so in that House, the arena of political discussion. The hon. and learned Member had stated, that he had told him, that he was at liberty to draw what conclusions he pleased. He did not state so; because if it answered the hon. and learned Gentleman's purpose, he might draw from his conduct false conclusions; and he would always so do, as long as he argued from false premises. The hon. Member for Cockermouth (Mr. Aglionby) had also made a remark which he could not assent to. That hon. Member, while congratulating certain hon. Members who had got up and made solemn protestations, that they were not guilty of the charges brought against them, inferred, that those who had not so protested, had refrained from a consciousness of guilt. Now, he most strongly protested against such an inference. Because a man did not think proper to get up and make an appeal to his God and his country, was he to be judged guilty of the charges made against him? There were many circumstances which would not justify an innocent man in making such appeals; and he did, therefore, protest against any such conclusions being drawn. He trusted, that the House would grant the committee.

Mr. *Williams Wynn* said, that having moved that the debate on this question should be adjourned, for the purpose of affording time for the House to consider more deliberately and wisely what course they ought to pursue, it might be expected that he should state what the effect of that consideration had been upon his mind. That was the only excuse he had for obtruding himself upon the attention of the House, at this early period of the debate. The motion which was now before the House appeared to him to be of too general and undefined a nature. There was nothing at present upon the journals of the House to be inquired into. The usual practice had been to enter upon the journals certain charges affecting certain parties, but he did not think there was any instance of appointing a committee, having, as it were, the character of a fishing committee. The circumstances which had been stated by the hon. and learned Gentleman were very different with respect to the different seats which were the subject of the petitions. There had been one case mentioned in which it had been stated that a bond had been given with a conditional penalty to be enforced on the withdrawal of the petition, if the Member did not resign his seat within a certain time. In another instance it had been stated that a sum of money had been laid down. If a corrupt contract could be established, no doubt that would be a case of breach of privilege. But there might be a case in which a person not being able to support the expense of defending his seat and not wishing an investigation to go forward affecting his character during his absence, might say to his opponent, "If you wish merely to get a new election, you shall have an opportunity of going to one, for I will resign my seat." That was not a compact that could be construed into a breach of privilege. Another case stated by the hon. and learned Member was one which it seemed to him the House had no reason to complain of. It was the case of an hon. Member who had petitioned against a return, and had sufficiently established his case to prevent the sitting Member defending his seat. The Member petitioning obtained his seat, and therefore did not think he was bound to prosecute the case any farther at his own expense, he having obtained the object for which he petitioned. Of that the House certainly had no right to complain. He thought the regular course for the hon. and learned Member to pursue was, to bring forward a separate charge in each case, and upon that charge the House would determine what course it should adopt in each special case. In each case the facts and charges might be taken down as the ground upon which the House acted, and it would then be entered on the journals as the evidence of that ground. He had studiously abstained from entering into the merits of the cases that had been referred to, but he thought that the adoption of the course he had proposed would be consistent with justice, as it would be clear to every hon. Member that it would be much better that each case should be disposed of according to its own merits, than that fishing or roving committees should be appointed.

Mr. *Ward* could assure the right hon. Gentleman who had just resumed his seat, that nothing was further from the desire of any person on that (the Opposition) side of the House, or of his hon. and learned Friend who had instituted this inquiry, than to seek from the House what the right hon. Gentleman had very correctly termed a "fishing," or "roving," committee. They did not want to generalise, but there were certain allegations which his hon. and learned Friend had made, and which, he believed, could be examined and proved. They at present rested upon certain facts which had common fame for their authority, but common fame, in this instance, fell far short of the truth. He believed that his hon. and learned Friend had studiously understated his case, and that he was prepared to prove that more corrupt things had been done by the parties implicated, than what he had described to the House. But his hon. and learned Friend admitted at once, that there might be some difficulty as to the mode of proceeding, and unless the allegations, in which he had the most perfect faith, were considered to be confirmed in a great measure by certain acts of hon. Members of which the House was now cognizant, they would have a fair reason for not granting the committee. He would mention the case of Nottingham, and he would ask whether it was not true that, so clear was the evidence of the malpractices that were alleged to have taken place at that election, that the sitting Members found it impossible to defend their seats? Was it probable, was it conceivable, that one of those sitting Members, on the very evening of the day, on which a Committee of that House had affirmed his right to his seat by its report, would, if he had been able to have maintained it, have accepted the Chiltern Hundreds? The object of that hon. Gentleman's ambition was to have a seat in that House. He had stood two contests for Nottingham, and there was no small proof of sincerity. Why had he withdrawn? His withdrawal was itself, under the circumstances, all the confirmation the House could require as a ground for investigating the facts, which were perfectly notorious, which he believed were perfectly capable of being proved. With regard to the gallant Major who had just addressed the House, no one could suppose, after what he had stated, that he was cognizant of what had taken place at Harwich; but still, as the reports were rife, it was necessary that the matter should undergo investigation. They had heard from his hon. Friend the Member for Bath, something about a Parliamentary Napoleon going down to Nottingham; but it appeared that there was also a Parliamentary Cæsar, who had gone down to Harwich, and fairly beaten the older candidates out of the field. This *Veni-vidi-vici* Gentleman had swept everything before him by the mere strength of his purse. In that town eighty-three objections had been served on one side, and sixty-four on the other, making 147 persons objected to as bribed in a Constituency consisting of 181. He did not say they had all been bribed; but they had been charged with being bribed. There was a strong *primâ facie* case made out against them. That case was to have been investigated before a Parliamentary Committee, when, all of a sudden, the three Petitions were withdrawn, and, as they were informed, the gallant Gentleman who had just addressed the House was about to withdraw also. He could not say the day, whether the 1st of July, which would be a fatal day to an hon. Friend of his, or the last day of the Session, which would be an equally fatal day to the noble Lord opposite; or, for the sake of variety, the month of August; but he believed that proof could be adduced before the Committee of the fact, that in the course of two or three months the House would be deprived of the gallant Gentleman's services, without any other possible plea for his withdrawal except the extreme inconvenience of allowing the allegations of the Petition to be examined into before the Committee. He firmly believed that a compromise had been entered into upon that ground, and however small a share the gallant Gentleman himself might have had in it, it was clear that there was another Gentleman who had taken care to effect a compromise in very binding terms. He thought that such charges as these ought not to be made in that House without being thoroughly investigated. The House must go into them. They had been told, and he believed it most firmly to be the fact, that there was at that moment a bond in existence, providing that a penalty of 2,000*l.* should be paid, unless the Constituency of a certain borough were dealt with in a particular manner, and that one of the sitting Members retired, and allowed another man to walk over the course without opposition. These things required the most searching investigation; and he believed that they were susceptible of proof before a committee. This Committee could not be called a fishing commission. It was a committee, of which the inquiries would be confined, and limited to the questions, which had been put by his hon. and learned Friend to certain Members of that House, and the allegations implied by which he pledged himself to establish. He would entreat the House, after all that had passed, to pause before they refused this inquiry. He could not conceive that anybody, having regard for the character of that House, could refuse his assent to the appointment of the Committee. Let them give such a Committee the adequate powers and authority. Let them have a bill of indemnity for the witnesses, and they might depend upon it that those, who wished to stop the rapid progress, in this country, of bribery, and corruption, at elections, would find that they never had had so good an opportunity of effecting their desires. He had no party or personal feeling in this matter. He wished to see the axe laid to the root of a system, which was undermining the morality of the land. Let them look at the boroughs that were now open to the highest bidder, to men who had no connection with the place, and of whose character Constituents had no previous knowledge. Money, ready money, was the only test of merit. It was a scandal and disgrace for any man to represent such a borough. He, therefore, called upon the House to avail itself of the present opportunity to put an end to such a system. They could proceed with perfect impartiality, for both sides of the House were equally implicated, and connected with transactions which he had no hesitation in saying were a gross breach of the privileges of the House. Money had passed from hand to hand, and negotiations had been openly carried on, in which the very character of their own tribunals had been intermixed; for it was not merely with the malpractices of the constituencies that they had now to deal—not that those malpractices were sanctioned by the Committees, for the committees had no power to go on with the investigation when the Petitions were withdrawn; but they, were, nevertheless, mal-practices in which Committees of the House were mixed up in a way most dangerous to the character of the House. He trusted, that the right hon. Baronet, the First Lord of the Treasury would not throw any obstacle in the way of the inquiry now sought for, and which inquiry it was as much his interest, as that of the House at large, to promote. He hoped that all due powers would be given to the Committee, and that they would be authorised to obtain the best evidence for the purpose of investigating the six cases which had been adduced, and of bringing the just censure of the House upon those, who might be proved to have infringed upon its privileges, and to have compromised its character.

Sir *R. Inglis* said, it was very true that the present could not, in the common sense of the word, be called a party question, inasmuch as the allegations made by the hon. and learned Gentleman opposite affected both sides of the House, and numerically as many Members had been questioned by the hon. and learned Gentleman on the one side as the other. He regretted that he had not been present on Friday, in order that the question should not have been put without opposition, at least from one individual Member. He should have endeavoured to resist such an inquiry, supported, as it had been, by the eloquence of the hon. Member for Bath, and by the gallantry of others whom he had almost compelled to court investigation. If the House should, by any chance, feel disposed to yield the point, he begged to ask, by what course of proceeding the hon. and learned Member for Bath proposed to arrive at the result he so confidently anticipated? Did he mean to make individuals criminate themselves? If he did, he hoped that the committee would be the only tribunal in the country which would consent to such a course. Did he mean to take the evidence of informers—of parties implicated? If he did, the hon. Member might so far follow the Old Bailey practice, but the hon. Member could not carry it further, either to the conviction or the punishment of the parties. He (Sir Robert Inglis) had been unjustly accused of a wish to disparage the authority of the House; he did not wish to disparage its authority either in its entire capacity or in its delegated committees: but he might ask the hon. Member for Bath in what way he intended to summon his witnesses? The answer might be, by the authority of the House; but he had referred distinctly to two hon. Members on his own side of the House, whose silence he said was most convincing, and to one on the opposite side. Suppose either of those Members should refuse to answer, who was to compel them? He submitted these points, because they were practical matters on which the House must decide, before it appointed a committee. True it was that the House had shown but little scruple in sending witnesses into custody, but would it send its own members into custody? Suppose a Member, sitting on the committee, or summoned before it, refused to answer, on the common law ground that he was not bound to criminate himself, the House had but one of two alternatives—either to permit all the objects of the inquiry to be frustrated, or to violate a most important principle by compelling a man to criminate himself. The House ought to consider that there was a great difference between a committee constituted like that proposed, and an election committee. An election committee was constituted by a known statute, it could summon witnesses, whether strangers or members; but the proposed committee could not be invested with any such powers. [Mr. *Roebuck:* The House can give the requisite power.] He appealed to the Speaker, nay, he appealed to the hon. and learned Member himself, whether the House, without an act of Parliament, could give the power, and he entreated it not to stultify itself by appointing a committee, which could enter into no investigation, unless it were prepared to take some course which would compel witnesses to criminate themselves—to resign that protection which elsewhere they never claimed in vain. The true course would have been for the hon. and learned Member to have induced parties to prosecute their petitions before election committees, and upon the evidence thus obtained, he might have proceeded by bill, and have obtained powers which could be given in no other way. Did the hon. Member mean to say, that a bill would be the result of his committee? He begged to inform the hon. Member that he would not obtain even the raw material of legislation. He might obtain allegations on one side, and contradictions on the other, but no evidence which would warrant the House in adopting any ulterior measures. For these reasons, he could not concur in the motion of the hon. and learned Member.

Mr. *R. Yorke* did not rise to reply to the remarks of the hon. and experienced Baronet, but to call the attention of the House to what had fallen on a former occasion from the right hon. Baronet at the head of her Majesty's Government on the subject of the bribery so extensively practised. The right hon. Baronet had related that some of the worst cases of bribery, in the opinion of the right hon. Baronet, had occurred in large towns; and nothing would give the right hon. Baronet greater satisfaction than to see the exposure of the practice in those towns taken up by the House of Commons.

Viscount *Palmerston:* I cannot allow this question to come to a division without stating the grounds on which I mean to give my vote. But in the first place, I must express my surprise at the silence of the Members of her Majesty's Government. On a question so deeply interesting to this House and to the country, it might reasonably have been expected that they should express their opinions. I should have supposed that the right hon. Baronet would have been anxious to state the course he meant to pursue, and the reasons on which he adopted that course, and to have explained what he thought was the fit proceeding with reference to the important matter which was the subject of the motion of the hon. and learned Member for Bath. But the right hon. Baronet and his Colleagues have thought fit to remain silent: no doubt they have their reasons for so doing; but I shall not shrink from stating what are my opinions and intentions. Whether my opinions be or be not in conformity with those of the majority of the House is to me a matter of much smaller moment than that I should state my strong convictions and explain the vote I mean to give. I cannot vote for the motion of the hon. and learned Member for Bath. I understand that motion to be for a committee not to inquire into the extent to which bribery has taken place during the recent general election, but to examine into certain compromises, which he alleges have been made before election committees, and by virtue of which some parties have dropped their petitions, and some Members have accepted the Chiltern Hundreds. I apprehend that the grounds on which this House ought to be called upon to appoint such a committee are, either that the compromises complained of are against statute law, or that they are breaches of the privilege of this House. That they are against statute law I am certainly not of opinion, because I see in the act constituting election committees a clause which allows parties presenting petitions to withdraw those petitions at any time they think proper. It is manifest that such a power ought to be given, because the proceeding is at the expense of private parties, who seek to establish or to disprove a private right, claimed on the one side, and disputed on the other. It would be manifest injustice, if these parties, who are prosecuting a private claim at their own expence, were not to be permitted to abandon their petitions when they think fit. Then comes the second question:—Are these compromises breaches of privilege? As at present informed, I am not aware that they are. If it be thought that they are, that is a question of sufficient importance to merit a separate consideration by the House; let that question be distinctly argued, and let us decide it. Assuming, for the sake of argument, that the statements of the hon. and learned Member for Bath are correct, let the House argue and decide whether such transactions are or are not breaches of its privilege. A and B are returned for a particular place; C and D petition, and charge their opponents with bribery. A and B are told, when their case is examined by their legal advisers, that though they are themselves guiltless, yet their agents have abused their confidence; and that matters can be brought forward, which, if substantiated, will affect their seats. The parties so advised, naturally wish to avoid the annoyance and expense of a trial which must end in their defeat. The other parties are, perhaps, equally uncertain as to the result, though they hope for success; and they may be willing to come to that sort of compromise which is common in all our courts, where civil rights are tried. The compromise takes place, another election is the consequence, and the voters are again called upon to exercise their right of choice. What is there in this which can be called a breach of the privileges of this House? But if any man think otherwise, let that question be argued and determined. I am quite ready to listen to argument, and, if convinced, I will vote, that it is a breach of privilege. But, as the matter stands, though these compromises may have taken place, it would be the greatest hypocrisy to say, that they have now for the first time been made, and that the practice has not been generally and notoriously prevalent; and if, as it seems to me, they are neither violations of the law, nor breaches of privilege, an inquiry into them, cannot possibly end in any punishment of the parties concerned in them. It cannot, therefore, be for that purpose that the hon. Member for Bath moves for his committee. But there is another purpose, and a legitimate one, for which the hon. and learned Member may move for a committee. He may wish to lay the groundwork for an act of Parliament, which may render such compromises, for the future, impossible. But I do not require investigation by a committee, to lead me at once to such an enactment. I am prepared to take the statement of the hon. and learned Member for granted. I am prepared to take public notoriety as the groundwork of an act of Parliament, and at once to vote for the measure which was brought forward by my noble Friend (Lord John Russell) in the year 1840. I am ready to support a bill which shall not only give leave to committees, but shall make it, if you will, even imperative upon them, to pursue an investigation into cases of bribery, although the parties in the case shall have dropped their petition. The proceeding, however, in such a case, being for the public interest, must be at the public expense; but such an expense would be well incurred if it enabled the House to put down the malpractices out of which these compromises arise, by visiting such malpractices with unvarying and certain punishment. For any legitimate purpose, I am prepared to go with the hon. and learned Member, and to vote in favour of giving election committees such additional power as would render inquiry into bribery not only imperative, but effectual. To that I would add another clause, which was contained in the bill of my noble Friend, which was thrown out in another place—I mean the clause indemnifying witnesses from any consequences resulting from their own evidence. I may be told, that this is all very well, but that we have no security, that such a measure would pass into a law. Certainly, if it did pass, it would tend most materially to put an end to corrupt and disgraceful proceedings at elections, and for a proposition of that sort, I should claim the support of her Majesty's Government, not only in this House, but elsewhere. I am perfectly persuaded, that if such a measure were proposed by Ministers—and it would do them honour—or if being proposed by others, it were cordially and unanimously supported by Ministers, it would pass into law, and would, ere long, put an end to the present wholesale system of bribery and corruption which has been even more extensive, than it has been hitherto shown to be, in the course of any of our debates. We are told by the hon. and learned Gentleman, that common report is a sufficient ground for a Parliamentary proceeding. True; but, does common report confine itself to half-a-dozen particular boroughs. I speak it with shame and grief, but I verily believe, that the extent to which bribery was carried at the last election, has exceeded anything that has yet been stated within these walls. I do not wonder at it. Two political parties were contending for a great prize, and that prize was no less than the Government of the country. That prize has been won by the party opposite. I will not take upon me to say whether these improper practices were most resorted to by those who attacked or by those who defended; but that they were most extensively employed, no man can possibly doubt. What passed in another place on the measure proposed last year by my noble Friend, was well calculated to lead to these consequences. A bill was sent up to the House of Lords, which would have given to election committees more extensive powers for the detection of bribery, and it was sent down to us again shorn and mutilated in some of its most essential provisions. And when was this done? On the eve of a general election. I say that those who so mutilated that bill, are deeply responsible for the disgraceful extent to which corrupt practices were carried at the last general election. Upon these grounds, I feel myself obliged to vote against the motion. I think it unnecessary as a groundwork for that amendment of the law, which the House, in my opinion, is bound to enact—which the House may, possibly, now decline to enact, but which, I am confident, before the end of this Session, both this House and the other will add to the statutes of the realm. But, at the same time, I am opposed to any partial investigation of the cases of half-a-dozen individuals to be selected from the herd in order to be held up to undeserved obloquy, though they have done nothing illegal in the compromises they have made, and nothing offensive to the privileges of this House. These individuals are only a few out of many, and they cannot, without gross injustice, be singled out; the evil is far more extensive, and if the inquiry be not as extensive as the evil, it had better not take place at all. These corrupt practices, I hold to be one of the most dangerous symptoms of the times, tending more than anything else, to sap the foundations of social order, and to undermine the constitution, and I hold, also, that it is the bounden duty of Parliament to provide an immediate remedy for the evil. One remedy has, indeed, been suggested, for which I should be most reluctant to vote, because even if it checked bribery, which I doubt, it would produce infinitely greater evils of another kind—I mean the vote by ballot. But if anything could induce me to vote for ballot, it would be the refusal of Government to give its cordial support to that other remedy, which I think would be a corrective of the evil of which we complain. If ever I should be induced, which I do not believe likely, to vote for a measure which, on principle, I do not approve, it would be the refusal of Ministers to do that which I am persuaded is necessary to prevent the recurrence of such scenes as disgraced the last general election.

Sir *R. Peel*: I was not aware that this was considered a question of that party nature which made it desirable that a person in my situation should indicate at the commencement of the debate the course he means to pursue. I thought that this was a question on which individual Members might be safely left to form their own judgment, and to vote without reference to the obligations of party. I did not expect that the hon. and learned Member for Bath would rise to conclude the debate, and I was perfectly ready to state in the course of it what opinions in my own individual capacity I had formed. If the noble Lord, who has just sat down, thinks the ballot objectionable in principle, and that it will only aggravate the evil of bribery, the refusal of Government to bring in or to support any particular bill, would surely be no justification of the noble Lord in voting for the ballot. I agree with him that the vote by ballot would tend to promote concealment, and to increase corruption, and when the question is brought forward and discussed I shall vote on its abstract merits; my decision for it or against it will not at all depend upon any course the noble Lord, or any other hon. Member, may pursue upon this question. If I think the ballot will aggravate the evil—if I think it will be injurious to the country, whether the noble Lord be either in or out of office, it will not have the slightest effect upon me. If, indeed, the noble Lord contemplates a retreat from his opinions upon that subject, he must rely upon some better justification than an attempt to make me and my Colleagues responsible for his inconsistency. With respect to the bill for the more effectual prevention of bribery—for the purpose of facilitating inquiry into bribery—I can only say that the noble Lord, the Member for the city of London, received from me a cordial and unhesitating support. I gave him my support when his measure was under discussion in this House; there might be some defects in the details of the enactments, but I did regret, particularly on the eve of a general election, that some attempt was not made to render the enactment effective, rather than allow the country to be involved in the bustle and excitement of a general election with no such corrective in operation. I was no party to the objections to the measure, and I think the noble Lord will confirm my statement, that when the bill was in this House it received my cordial support. As to the particular motion of the hon. and learned Member, my opinion is that the charges it contains are not sufficiently definite to authorise the appointment of a committee. It is said that "certain charges were made of corrupt practices on the trial of certain election petitions." To leave those words on the journals as a ground for instituting an inquiry would, as it seems to me, be utterly unsatisfactory. On the subject generally, I feel bound to say that I admit the fact of these compromises having been made. I believe it impossible to deny that there existed some considerable corruption. The impression of Members on all sides of the House I apprehend is, that election petitions contract no other responsibility than that of defending individual rights; the parties are not bound to maintain any public principle. Such was the uniform opinion under the Grenville Act, and such it remains in the present state of the law. I cannot divest myself of the belief that compromises are sometimes made in order to avoid exposure; but, on the other hand, parties have long possessed the power of making compromises, and many have been effected which involved those engaged in no charge or suspicion of criminality. Such compromises have taken place both in recent and in earlier times; but it is plain that the moral quality of a compromise must depend upon the mode and object of the transaction. A Member not possessed of large pecuniary means may find that the defence of his seat would involve him in ruinous expenses: no subscription has been raised, and he may not choose to injure his family, by the cost of employing counsel and maintaining witnesses. These expenses are borne by the individual, not by the public, and I can readily believe that an individual, however innocent, might prefer a compromise to ruin. If you make it optional for individuals to prosecute an election petition, what right have you to find fault with the exercise of their discretion? Therefore, I say that compromises have been, and may be made, without exposing the parties to any just charge of criminality. At the same time, we all know that compromises of a very different nature may be made; but, with reference to these, I am of opinion that the hon. and learned Member for Bath ought to place distinctly upon record the nature of the charge he prefers. If a distinct charge be placed upon record, whether it be or be not a breach of privilege, it seems to me that it is for the character and honour of this House, as well as for the public interest, that that charge should undergo investigation. I took this course when an accusation was brought against an hon. and learned Gentleman, the Member for the county of Cork. Complaints had been laid before an election committee which related to a pecuniary transaction supposed to be corrupt, and an inquiry was sought. A petition was presented from the electors, praying the House to institute an investigation. It seemed to me that the transaction was of a doubtful nature, I consented to the inquiry, and the House by a large majority confirmed the propriety of my opinion. I did not rest upon the fact that an election committee had been or might have been appointed; but a charge being made of corrupt conduct and breach of privilege, I thought that this House did not part with its right to examine into the subject, because it had appointed a tribunal to try a controverted election, and to determine upon individual rights. The constitution of such a delegated body did not, in my judgment, divest this House of the general power, inherent in its constitution, to institute a separate inquiry into an alleged breach of privilege. To charge corruption in a distinct form was to impose upon the House, in the discharge of its duty to the public, the necessity of ascertaining its truth or falsehood. The case to which I refer was that of the hon. and learned Member for Cork and Mr. Raphael in relation to the borough of Carlow, and I did not then allege that the House had not the power to administer a remedy. The House has that power whenever a case of public abuse is brought forward, and it is fit that it should in this way exercise its constitutional functions. In the present instance I find that there are petitions from certain electors—petitions from Nottingham and Reading; and if the hon. and learned Member reduces the charge to a definite shape — if he shows us that there is such a *primâ facie* case of suspicion as to afford a fair presumption of a breach of privilege, I for one say, painful as it may be to me to come to that conclusion, that it is not for the credit of the House to refuse altogether to to enter into the question. The powers of the House for conducting such an inquiry are probably sufficient, and I may reserve the question whether I will compel parties to criminate themselves—whether I will deprive them of that right which every man enjoys by the laws of England. Considering the cases to be analogous, I am prepared to take the course on this occasion which I took when a charge of corruption was preferred against the hon. and learned Member for Cork. I then thought that it was due to the honour of the House to investigate such an accusation, and I think so still, if the hon. and learned Member can reduce these several charges to a tangible form. I speak only for myself individually, for this is a question rather of a judicial than of a party nature. I am prepared, on the present occasion, to take the course I took in the case of Carlow, and to vote for a committee armed with the ordinary constitutional powers, to enable it successfully to conduct the investigation.

Lord *J. Russell*: Sir, I certainly had hoped that the right hon. Gentleman would, early in the discussion, before the hon. and learned Gentleman rose to reply, have stated the course which he meant to pursue; because reserving to myself the power of acting as I shall think fit upon the substantive motion which has been made. I own it does appear to me that the remedy which the electors of Nottingham require, which the electors of Reading require, and that which the public interest demands, is that these general charges of bribery should no longer be matter of compromise. That they are so at present the right hon. Gentleman and my noble Friend both fully admit—that they are so no one can deny; and indeed it was upon that very ground that in the year 1840 I proposed a measure by which an inquiry should be instituted. I then said, what I am ready to maintain now, that the consequence of the Grenville Act, and of other acts which have followed it of the same kind, is this, that the possession of a seat is treated, as it were, like a question of property; that two individuals, having spent large sums of money at an election, are afterwards called upon to spend other large sums in the prosecution of a petition or in defence of their seats against such petition, and that they naturally and unavoidably, in the prosecution of those cases, look to the possession of the seats for themselves, and not to the public interest, which demands protection. I think it would be the most unreasonable thing in the world that when a person, whether he be a petitioner or the sitting Member, has obtained a seat, or when an offer is made to him of a seat, he should then be required to go to the expense of 3,000*l*. or 4,000*l*. in addition to the other expenses incurred, in order to establish a case by which a borough may be disfranchised or by which bribery and corruption may be generally exposed. I do not think you could expect it, and you have not obtained it. It has always been my opinion that that is the consequence of your laws. Why, Sir, a very remarkable case occurred in the last Parliament — the case of Norwich. Every Gentleman who read the Norwich newspapers at that time must remember that there hardly ever was so gross a case of bribery and corruption as that of Norwich. After the statement that a number of the electors had been bribed; that after some of the electors had received twenty guineas from one party they took twenty-five from the other; that a number of persons were sent away altogether; and that the practices were so disgraceful that they almost affected the whole county of Norfolk—after all, the seat in this House was settled by compromise. And so with respect to two or three other cases in the last Parliament. In the present Parliament it is notorious that a much greater number of those cases have been compromised. If that is the case I think your remedy should be—your most important remedy at least should be—some law by which you can in future investigate these cases, whether the individual petitioning or the individual holding the seat consent to it or not—that when there are petitions presented complaining of bribery and corruption in any borough there should be some means of investigating it upon oath and at the public expense, with the view of discountenancing bribery and corruption. I was in hopes that the right hon. Gentleman would have held out some prospect to the House that it was his intention to introduce a measure on the subject. He says very truly that he gave me good support on the former occasion, when I brought forward my measure. He was not on that occasion bound to do more than he did. But, permit me to say, on this occasion I have a right to expect more. When I introduced my measure in 1834, and in 1841, and sent it to the House of Lords, I did not expect that the majority in the House of Lords would be influenced by the manner in which it was sent up from this House; and, perhaps, the right hon. Baronet, whatever opinion he might have expressed, would not have had sufficient influence to induce his Friends there to concur with the views expressed in this House. I therefore do not find any fault with the right hon. Baronet that these bills were either altered or defeated in the House of Lords. But, at present, if the right hon. Baronet, in the name of the Government, were to introduce a similar measure, that bill would of course be supported by his Colleagues in the House of Lords, and, so supported by the Government, I cannot doubt it would become law. That appears to me the result which we could draw from these disclosures and these imputations. With respect to the motion of the hon. and learned Member now before the House, the right hon. Baronet said it was too general and indefinite. My noble Friend made a similar objection, and I must say that I entirely agree in it. If the House should appoint a committee on the present proposition I cannot tell whether great doubt might not arise as to the nature of the charges which ought to be inquired into; and whether charges of which the House has no knowledge might not be stated to be part of the charges to investigate which the committee was appointed. Therefore I cannot consent to the motion on these terms. The right hon. Baronet says if there are specific charges—if they are stated in such a manner as that they can be entered on the journals, and if they amount to a breach of privilege—he will consent to the appointment of a committee. I agree with the right hon. Baronet, that if such a statement is made, and a breach of privilege is involved, it is most desirable that a committee should be appointed. I agreed in the appointment in the case of Carlow. I thought it far better that the committee should be appointed, and the facts stated before the committee very much altered the complexion of the transaction from what it appeared when before the House. Until I hear the statements more fully developed I do not know that I can assent to the views of the right hon. Gentleman opposite (Mr. Wynn). Agreeing as I do that these compromises are exceedingly injurious to the constitution of Parliament, that they tend to suppress evidence of bribery, which would otherwise be brought out, I know not in what respect the entering into a bond can make such a transaction a breach of privilege. My opinion is that the great benefit to be derived from these exposures is some measure which would prevent these compromises and arrangements for the future. I hope the right hon. Baronet will undertake to bring in such a bill. If he will not, although I fear I should be doing it under a great disadvantage, yet if he will give me the benefit of his opinion, and with respect to the measure itself, if he will give it not only his individual support but the support of the Government to which he belongs, I will undertake to introduce such a measure. But I would rather see the right hon. Baronet take it into his own hands, because he would then be better able to consult his Colleagues as to its particular provisions. I should state with regard to the measure which I introduced in 1834, I was ready if there had been sufficient time to agree to considerable modifications. In whatever shape the measure may be introduced, I trust it will cause a thorough investigation to take place into those charges of bribery and corruption which may be preferred, and that these compromises will be put an end to.

Mr. *M. J. O'Connell* said, he had heard the statement of the right hon. Baronet with great astonishment. He stated that in the case of the Carlow election he voted in the majority for the appointment of the committee. Any one who did not recollect the transaction would be led to imagine from the remarks of the right hon. Gentleman, that the right hon. and learned Gentleman the Member for the county of Cork, or some one on his behalf, opposed the appointment of a committee in reference to the transaction in which his conduct was impeached. It really sounded so strange to him that he almost doubted the accuracy of his recollection; but on referring to the necessary documents he found that not only was there no division, but that only a very short debate took place. In spite of the report of the committee many repetitions of the calumny had been made against his right hon. and learned Friend; and he was afraid, if he had not risen on the present occasion, that at the next operative conservative dinner it would be stated that his right hon. and learned Friend opposed the motion on that occasion, whilst the right hon. Baronet assented to it. With respect to the present motion, the principal objections seemed to be against the manner in which it was worded; but thinking that the hon. and learned Member had fully established a case for inquiry he should certainly vote for the motion.

Sir *R. Peel:* Sir, the hon. Gentleman has completely misunderstood me. My reference to the Carlow case was not affected by the consideration whether it were opposed or not. The House was deciding on the principle whether or not it would institute an inquiry, and the House assented to the inquiry. I threw no imputation whatever on the right hon. and learned Gentleman. Whether he opposed it or not is a matter of entire indifference. There was the allegation of a breach of privilege, and I supported the inquiry, to which the House assented. I do not know if the importance of the subject justifies me in saying a word with respect to the introduction of the bill to which the noble Lord has alluded. I think I have sufficient justification for not having undertaken to bring in such a bill; but it is a matter to which I am ready to give every attention. The noble Lord has more leisure than I have. I am ready to co-operate with him, as I did before. I feel the great importance of the subject, and if the noble Lord will undertake it, I shall be quite ready to lend him what assistance I can. At the same time the subject requires a great deal of consideration, and you must take care that you do not now create a new impediment to receiving complaints on the subject of bribery. If the noble Lord will undertake a measure of this description, I will zealously, notwithstanding our political differences, endeavour to co-operate with him.

Mr. *Hume* being of opinion that his hon. and learned Friend the Member for Bath had done himself honour and the country great benefit by his motion, was sorry to find so many objections raised against it, because the cases were so numerous. The right hon. Gentleman opposite, and the noble Lord near him, said, why not bring in a bill? and if his hon. and learned Friend had brought in a bill, they would have said, why do you not inquire before you legislate? The question was, how far they were bound to inquire. After the masterly manner in which his hon. Friend had brought forward the motion, they were bound to inquire what was the state of that House, and how individuals found their road into it. When the noble Lord who had been for twenty years a member of a Government had said that no one had ever thought of bringing on an inquiry, the House and the country ought to be the more obliged to his hon. Friend for the present motion. He (Mr. Hume) must say that the right hon. Baronet had made a fair speech. The right hon. Baronet admitted that an inquiry ought to be entered upon, and was almost prepared to support a motion for it, but that technically the cases relied on ought to be stated at large. He believed that the custom of Parliament was not in accordance with the right hon. Gentleman's opinion; he believed that the general accusation of bribery was sufficient, and it did not require any statement of particulars. They had heard statements from his hon. Friend, which his hon. Friend said he was prepared to prove; the two noble Lords admitted that these practices were extensive; the right hon. Gentleman did not deny them; then why not let his hon. and learned Friend have a committee to inquire, and thus lay the ground for a further reform? Improper doings prevailed to a large extent, the scandal was openly avowed, and noble Lords said it had been common for a long time; he hoped, therefore, that the House would waive any technical objection, and allow his hon. and learned Friend to proceed, and permit the facts to be brought to light, even if his hon. and learned Friend did not assent to the suggestion of the right hon. Gentleman, and alter the form of his motion.

Mr. *Lindsey* said, that as it was his intention to vote for the motion of the hon. and learned Gentleman the Member for Bath, he did not like to give a silent vote. He would not set up his own opinion against the high authority of the right hon. Gentleman, the Member for the county of Montgomery, and the right hon. Baronet at the head of the Government; but for a mere technical difficulty, the motion might be postponed or brought forward again. By his vote for the motion, he expressed merely his wish that they should inquire into practices which existed. He believed that no Member, on either side of the House, would deny them. He thought, therefore, that the character of the House was committed before the country, and that it would suffer before the country if they did not fairly sift this corruption to the bottom. He had heard it said, they were all guilty, and let him who was innocent fling the first stone, and he maintained that very few could lay their hands on their breasts, and say they were innocent; and he believed that there were many delinquents who would be delighted if these practices were more easily proved and prevented.

Mr. *Muntz* would vote for the motion of the hon. and learned Member for the for the same reason as the hon. Gentleman who had just sat down. He considered the character of the House to be at stake. The public looked on the House with great suspicion. They suspected, that whenever bribery and corruption were found out, every means was resorted to in order to conceal it and screen the guilty parties from punishment. He sincerely wished the House would decide in favour of the motion.

Mr. *Plumptre* agreed with the right hon. Baronet at the head of her Majesty's Government, that this ought not to be considered as a party question. It was a question on which every individual ought to vote according to his own views; and feeling that this was a case which would affect the character of the House most grievously, he was decidedly in favour of the appointment of the committee which the hon. and learned Member had proposed.

Lord *Stanley* said, I agree with my hon. Friend who has just sat down as to the impolicy and impropriety of offering any resistance to the motion of the hon. and learned Member, if the intention of such opposition be to throw any shield over the corrupt practices at elections. But the objection taken to the motion of the hon. and learned Gentleman is not at all the objection which appears to have struck my hon. friend; but this was the allegation—that the hon. and learned Gentleman proposed to appoint a committee for the purpose of inquiring into certain corrupt practices alleged to have taken place before certain election committees, and which are charged as a breach of the privileges of this House, and that without stating the elections to which he referred, what were the practices of which he complained, and assuming on the part of the House that certain transactions, not specified, before certain committees, not named, were, in point of fact, a breach of the privileges of the House. The motion of the hon. and learned Gentleman appears not to be clearly understood by my hon. Friend and those who immediately preceded him. It is not an inquiry into the general prevalence of bribery at elections—no such motion is contemplated. Therefore, in opposing the motion in its present form, no resistance is offered to an inquiry into the general system of bribery. But this is the allegation of the hon. and learned Gentleman, that certain transactions have taken place—that certain compromises have been entered into, which are a breach of the privileges of the House; and it is not into the corrupt transactions themselves—not into the bribery, but into the course taken before the election committees for the purpose of avoiding their decision that the hon. and learned Gentleman proposes to inquire. I say that each of these transactions must stand on its own particular merits. There may be some which are perfectly legitimate and fair. In the case of the Lewes committee, as stated by the hon. and learned Gentleman, there is no suspicion of improper dealing on one side or on the other. A petition is presented for the unseating of the two Members. One of the petitioners succeeds, and, after a certain time, he finds it doubtful whether, at the expense of great pecuniary sacrifices and great loss of time in the protracted struggle which must ensue, the other candidate will likewise be successful; and he, having obtained the verdict of the committee in his behalf, takes the seat which the committee award him, and agrees to abandon the inquiry. I understand that to have been the case. I understand the case to be, that the hon. Member for Lewes, together with a noble Viscount, not a member of this House, who were petitioners to this House, having succeeded in placing themselves in a majority, though the noble Viscount was, from a technical objection, unable to vindicate his claim, one of the members retired, and the hon. Member took the seat that belonged to him. As far as the case of Lewes has come before me, in my judgment I see nothing questionable in the transaction. Other cases are stated of much more doubt and difficulty, but this case of a compromise, by the withdrawal of a prosecution, doubtful in its success and expensive in its operation, is no new principle—is not unknown to the House—has never hitherto been considered as a breach of the privileges of the House, and has never hitherto been considered as deserving of the censure of the House. In two or three cases stated by the hon. Gentleman there is this novelty—that the committee having come to a resolution seating the Members, those Members have themselves made a compromise that, notwithstanding the verdict of the committee, it should be set aside, and they would retire from the seat. There is a further allegation in some of the cases, that for the purpose of securing the performance of this understanding and promise, by which the proceedings of the committee are to be rendered nugatory, a penal bond has been entered into, and a sum of money paid down; the effect of which is not only to secure the agreement of Parliament, but to secure further, as I hear, the allegation made, that there shall be no contest on the part of those who agree in principle with the retiring party against the party who is to be seated. I know nothing of these cases, except that which has been stated, but I do not hesitate to say, that if that case can be substantiated, it is a more serious case than that of retiring to enable another person to retain his seat, or abstaining from prosecuting an inquiry. There is a further case still, as the hon. and learned Gentleman says, there are cases in which all these arrangements are entered into to prevent the exposure of general bribery and corruption. It may be so, but before I agree to the motion for inquiry into allegations of this description I must have something more than mere rumour. I must have distinct allegations laid down and founded on certain evidence, some tangible fact alleged, and upon evidence into which the committee is to inquire, and to which the investigations of the committee are to be directed; and I object to the hon. Gentleman's motion because it does not lay down any preliminary ground, in the first instance, for the allegations, and because the allegations themselves are so vague and so general that it will appear upon the journals, when the committee comes to make their investigations, that they are ordered to inquire into certain malpractices at certain election committees, which are charged to have taken place. Under the order of reference, no Members of the committee could know what they were about to inquire into, and in appointing the Members of the committee, we know not for what we are voting, or what we are to inquire into. The question, as I said before, is not as to the mode of preventing bribery or corruption, or into the methods of screening investigation, but the object is to inquire closely into these allegations. Beyond mere rumour we have not any ground for proceeding. To-night we have had two petitions, and I certainly think the hon. Gentleman would have done much better if he had altered the form of his motion; and if, instead of presenting petitions from Nottingham and Reading, complaining of the facts, he had asked the House of Commons to appoint a committee to inquire into the allegations of those petitions. This case bears a precise analogy to the case of Carlow, and as has been truly said by the hon. Member for Montgomery, the committee is likely, from its uncertainty, to lead to no practical result and no practical conclusion. I will say one word as to the case noticed by the noble Lord. No man deplores more deeply, or is prepared to censure more strongly than I am, the bribery and corruption in large towns and in small towns, and there is no Member of this House who will be prepared to go further, in applying, if he can apply, an effectual remedy; but for that purpose it is clear that an act of Parliament, and not the appointment of a committee, is requisite, and great caution is required, lest, in investigating cases of bribery, you should mix up two subjects, in themselves perfectly distinct and separate, the prosecution of individual rights, and the vindication of the character of the House. The question of the propriety of disfranchising a borough, or the general corruption prevailing in a borough on both sides, is a question entirely separate from that which is the proper subject of inquiry before an election committee—viz., whether A or B is entitled to the seat which A contends is his, and which B defends. If you were to lay down this rule, that wherever there is an allegation of bribery, the charge is not to be thrown on A, who is seeking, or on B who is endeavouring to defend the seat, but the charge on both sides is to be thrown on the public, and the public is in all cases to take on themselves the conduct of election committees—I say you would come to this result, that every disappointed candidate would take the chance, at the public expense, of carrying on the inquiry to injure his political opponents, or to avenge himself in some way on the borough which rejected him, by the disclosure of cases which might not be disgraceful in themselves, but equally a ground for disfranchising the borough. You would multiply the number of petitions indefinitely; you would enormously increase the expense to which the public would be put; you would enable each person to prosecute his own private wrongs at the expense of the public, and the extent to which the investigation would be carried would be almost unlimited. I do not by any means pretend to say that where a strong *primâ facie* case of suspicion exists, and where gross crime has occurred in any borough, that an investigation may not rightly and properly be ordered by the House into the circumstances affecting bribery; but it is desirable not to mix up the question with the question of the contested right to a seat between A and B—not to mix it up with the private interests of the parties seeking or defending the seat; and therefore I think that great caution should be observed in introducing a measure authorising election committees to go beyond their proper functions (which are to decide on the validity of the claims to a seat), and thus making the candidates seeking a seat public prosecutors, or engaging the public in every case where the candidate might say that it was the interest of the public to interfere. That is my objection to the motion of the hon. Gentleman. It is not an objection to inquiry; but I wish that, previous to inquiry, we should have definite allegations, founded on parliamentary grounds, on which to proceed, and that the investigation, however carried on by the committee, however constituted, should be limited to those allegations, which, being once known to the House, the committee would know how to solve the difficulty.

Mr. *Sheil* said, the matter under discussion was curtailed to a very simple question. It appeared to be the almost universal feeling of the House, that provided the inquiry were properly conducted, and fit matter for consideration were brought forward, it was the duty of that House to order the inquiry to go on. Every body admitted that a very great evil existed; and where a great evil existed, they should take care that the remedy should be efficient; at the same time they should not be too scrupulous with respect to its application. He did say, that the hon. Member for Bath had not been specific in his allegations, (and if he might use the phrase) in his indictment he had not sufficiently laid his charges. That was the suggestion of Members on both sides of the House. But let them take care that any contest about the distinctness of the speech and the indistinctness of the motion of the hon. and learned Member should not prevent them losing sight of the main object, namely, ascertaining the real facts. The hon. and learned Member had been told, that if he stated in that House what amounted to a breach of privilege, he would then have a right to make a motion for a committee of inquiry, founded on his own allegation. The noble Lord who had last spoken said he did not think sufficient grounds for such a motion had been laid. [Lord *Stanley*: I complained that I did not know what we were going to inquire into.] Then the noble Lord could not have attended to the speech of his hon. and learned Friend with that attention which his hon.

and learned Friend deserved. He admitted, at once, that there was a want of distinctness and specific grounds of inquiry. But if the hon. and learned Member changed the form of his motion and stated distinctly what facts he wished to have inquired into, at once the committee would be granted. And with respect to the evidence of these allegations, let this be marked, that a statement had been made by a Member of that House that he would bring forward evidence to prove these allegations. Some Gentlemen had denied the accusations which had been made, others had remained silent. It was in their discretion to remain silent; but, surely there was now a *primâ facie* case before the House, and there were sufficient grounds—sufficient facts for going on with the inquiry. Therefore, now they were only disputing on a matter of form—on the phraseology of the motion—in what way it ought to be framed. Why did he wish for an inquiry? His object was not a bad anxiety, to give pain to individuals. By the inquiry they were charging individuals with doing that of which many were notoriously guilty. Their object was not to abuse individuals, or hold them up before the country. His hon. and learned Friend had said

> "Our object is not to strike at individuals, but to get at facts, and illustrate the universal system of bribery and corruption which exists, and force the Legislature to adopt some remedy."

He wanted facts; he wanted something more than charges. Let witnesses be examined and evidence taken down, and let them have such a body of evidence on the subject that there should be no doubt about it. The noble Lord the Member for Tiverton had alluded to the bill on this subject which had been brought into the House of Lords. Let them then get at such facts by a committee should go before the House of Lords, and before the country, and set all doubts on the question at rest.

Mr. *Roebuck* said, if he had understood the right hon. Baronet (Sir R. Peel), he should not have troubled the House with more than one or two words in answer to his statement; but as he did not quite understand the right hon. Baronet, and was absent whilst the right hon. Baronet's proposition had been made to the House, he might be pardoned if he went through the view he had taken of this subject somewhat more at length, and stated the way in which he wished it to be left to the House and to the country. On last Friday he had stated, that certain rumours had come to his ears respecting certain specified individuals. Those persons were named, and the allegations he made distinctly without circumlocution—for circumlocution, whatever other bad habits he might have, he did not think belonged to him. He had stated them broadly, clearly, and unequivocally, and with all their requisite distinctness. He had guarded himself against the whole of the argumentation of the noble Lord, the Member for North Lancashire. He had said there was an argument which pressed upon him strongly, and he was prepared to evade that argument by the facts which he had laid it down. He said, he should suppose a compromise being made precisely under the circumstances he had stated; but the cases which he was about to lay before the House were not of that description. First, there was the case of Nottingham, in which money had been paid down to avoid the investigation of the committee respecting the bribery alleged to have taken place. Then there was the case of Reading, where a bond was entered into, that one of the candidates should vacate his seat after the determination of the committee. Then there were the cases of Lewes, and of Penryn, and of Harwich, where arrangements had been entered into to avoid investigation as to the bribery said to have prevailed. There was the case of Lewes, in which he had put it to his friend distinctly, whether the investigation had not been withdrawn from the committee under the strict knowledge that if the investigation went on bribery would have been proved. That was his charge;—that had been his indictment. In the charges which he had brought forward he had been extremely desirous of giving no man pain, but the system he desired to brand as deeply as he could. He would now, with all due respect for the objections of the noble Lord (Stanley) and the right hon. Member for Montgomeryshire, call their attention to the case of the Shepherds. They had been charged with bribery. The noble Lord was fearful lest there should appear on the journals a vague charge. What appeared in the journals of the House on the 13th of February, 1700:—

"The House being informed that Samuel

Shepherd, Esq., hath been guilty of bribery at several elections, in order to procure Members to be elected for Parliament, on which Mr. Shepherd being heard in his place, persisting in his innocency—resolved, that the matter of the charge be heard at the Bar of the House."

Then, what had he stated? What was his charge? What would appear? He would now make another distinction. The right hon. Member for Montgomeryshire was aware of the distinction betweenor al and written charges in that House A Member in his place in that House might make charges orally. He had done so. It was not his business to have it taken down. He had made the charge, and on that charge he had moved for a committee of privilege. He said that it was precisely within the proceedings, the declared proceedings, of that House. All he wished was to guard himself from the imputation of having rushed hastily into a proceeding not in accordance with the regular proceedings of that House. He was perfectly ready to adopt any mode of proceeding which should give him what he asked; and he asked the right hon. Baronet if he would grant him this, if he moved a resolution—

"To inquire into a charge of corruption respecting the boroughs of Reading, Nottingham, Lewes, Falmouth, and Harwich, if it were brought,"

Alleging the nature of the charge, which was this—that in each and all of those boroughs there had been a corrupt compromise to prevent an investigation into the bribery practised at the elections. They would mark the definition of that. He fixed the parties—he fixed the charge and the nature of it—he fixed the places; there could be no doubt about this. He did not wish to name any party, for then it might appear that he was influenced by personal motives. He wanted to avoid all appearance of personal investigation; he wanted to brand the system. Could he get that? Was that what the right hon. Baronet would admit? He distinctly stated the places into the elections for which he wished to investigate, and the charge which he brought forward was that a compromise had been made by which charges of bribery had been corruptly withdrawn from the consideration of the several committees appointed to inquire into them. He wanted to know if that was what was wanted? He wanted to know what further he could do? The noble Lord said, "I must have some evidence." Evidence! the evidence was given on the trial. Was he to try the matter first in his own person and then go before the committee? What could he do but make the charge? He had given the whole charge; surely words definitely spoken could not be misunderstood. The places he wished to be inquired into he named, and if hon. Gentlemen would, after that, alter his motion, or allow him now to make that amendment in his own motion, he was quite ready to make it. [*Cheers.*] He hoped that that cheer meant assent; for he must say that he was startled by some of the things which he had heard that evening. The noble Lord (Lord Palmerston) said that his charge was too narrow—that it ought to sweep the whole wide range of this marvellous corruption. Hon. Members on the other side of the House said, that a committee so appointed by his motion would have a roving commission. There was no pleasing them. He was in the unfortunate position of one man whipping another—hit them where he would he could not please them. He wanted to steer clear of both objections. He did not want a roving commission, for he named places. He did not want to scatter charges indiscriminately for he named circumstances. He asked, then, for the unanimous consent of hon. Members to his motion. But let him not be misunderstood; for the well-working of the committee it must have full powers and a bill of indemnity for that purpose should be immediately passed. For that bill of indemnity he should move in that House. They could not stir a step without it. Any lawyer knew how to draw that bill. He would, if necessary, propose it to-morrow; it could be passed in three days, and be sent up to the Lords, and become law in a week. But without these powers they could do nothing; they gave him an instrument which he could not use. He thought he knew something of this House, and he was not going to work this committee to his own shame. He knew that the whole world was looking on at the whole of these proceedings, and he was not to be frightened out of his task; and that being so, he said it was clearly understood that such were the intentions of the House (if it be the desire of the House to probe to the bottom this festering wound) to put that probe into his hands, and to the bottom of its nastiness would he drive it. With the consent of the House he would withdraw the present motion, and alter, and state in terms the cases into which he begged leave to have the inquiry directed. He would state the charges in the terms he had already mentioned; and, having done so, he hoped to have the unanimous support of the House.

Sir *T. D. Acland* said, he would not detain the House one moment, but with reference to the alteration which the hon. and learned Member was about to make in his motion, in order to specify more distinctly the cases which he and others thought fit subjects for solemn investigation, he desired to except one which appeared to him to rest upon entirely different grounds from the others—he meant the case of Lewes. In that case the party before the proper tribunal, being the best judge, both of the force of the attack, and of his own means of defence, had come to the conclusion, that he could no longer maintain the contest, and having therefore allowed the judgment of the committee to be given against him, had not attempted to vitiate that judgment. He did not understand that any charge was made against the petitioner in the Lewes case, or that the unsuccessful sitting Member had any intention of not abiding by the judgment of the tribunal to which the matter had been referred. But in the other cases to which the motion of the hon. and learned Gentleman had reference he believed the parties came to the tribunal and asked its judgment, but in the mean time had entered into and accepted an agreement by which it was arranged that the judgment to be given should not be executed. This appeared to him to be a mode of dealing with a court of justice, which any court would do well, if it had the means to inquire into, and redress. He repeated, that he thought there was a distinction between the Lewes case and the rest. In one of the cases he alluded to—Nottingham—the agreement had already taken effect, and the sentence passed by the committee in the morning had been upset by the parties the same night. A similar condition had been made in the Falmouth and two other cases, for though the charge had neither been admitted or denied, yet it was understood that the same sort of arrangement had been made, and agreed to. The effect of those arrangements, was not merely to conceal that which he feared the House had taken but very ineffectual means of inquiring into, viz., bribery, but to say that the judgments which have been granted shall not take effect. He thought those cases fair subjects for inquiry; but he suggested that the hon. and learned Gentleman ought to leave out of his category the case of Lewes, which stood upon entirely different grounds.

Original motion withdrawn.

Mr. *Roebuck* moved the following resolution:—

"That a select committee be appointed to inquire whether in the case of the election petitions presented to the House from Reading, Nottingham, Harwich, Lewes, and Falmouth, there have not been corrupt compromises entered into for the purpose of withdrawing from the investigation of the committees appointed to try the merits of those several petitions, the gross bribery practised at those elections?"

Sir *G. Grey* suggested that in point of form it would be well, and certainly more regular, to set forth in the terms of the resolution that it having been stated by an hon. Member that he had heard these compromises alleged and so forth. There was another suggestion also he had to make in consequence of no committee having, in fact, been appointed to try the merits of the petition from that place, and, therefore, the terms of the motion, as it stood, would not reach that case.

Mr. *Roebuck* said, he had drawn up the motion in a hurry, as the House had seen, and therefore he hoped to be excused for any oversight. He had no objection to adopt the suggestion of the right hon. and learned Gentleman with respect to the addition of the words, "it having been stated by an hon. Member in his place that certain corrupt practices had come to his ears and so on;" neither had he any objection to add further, that he believed that statement. The hon. and learned Member drew up an amended resolution and withdrew the former motion.

The *Speaker* then put the second amended resolution as follows:

"That the House having been informed by an hon. Member, that he has heard and believed that in the cases of the election petitions presented to the House from Harwich, Nottingham, Reading, Lewes, and Falmouth, certain corrupt compromises had been entered into for the purpose of avoiding investigation of the bribery alleged to have been practised at the elections for the said towns, a select committee be appointed to inquire whether such compromises had been entered into, and whether such bribery had taken place in the aforesaid towns?"

Sir *R. Peel* suggested one alteration in the terms of the motion—the words ought to be "charges of bribery."

Mr. *Roebuck* said, the adoption of the word "charges" would prevent him (as the charges of bribery were all one side—that of the petitioners in each case) from having the inquiry as wide as he desired. His plan was to cover both sides.

Mr. *Neeld* said, that as a Member of the Lewes committee, he rose to request the hon. and learned Member for Bath to exclude the case of Lewes from his motion. The House would perhaps allow him to give his reasons for making that request. On the hearing of that petition, no evidence had been brought before the committee, either of bribery or any other corrupt act, and the attention of the committee had merely been directed to a scrutiny, and upon that Mr. Harford, who had been in a majority was, after several days investigation, reduced to a minority, and then had withdrawn from the contest. Upon that the committee reported Mr. Fitzroy to have been duly elected, and upon that report Mr. Fitzroy had taken his seat in that House. There had been no allegation of bribery before the committee, and he owned it appeared to him that the hon. and learned Member for Bath had not made out any case why Lewes should be included in the proposed inquiry. He hoped, therefore, the hon. and learned Member would withdraw Lewes.

Mr. *Labouchere* was sure the hon. Member for Chippenham could not have been present when this subject was before under discussion, or he would scarcely need to be reminded how unjust and improper it would be to exclude the case of Lewes from the inquiry proposed. On a former occasion, one of the sitting Members for that borough—his hon. and learned Friend near him—stated in his place, that his belief was that the compromise with regard to Lewes was merely caused by the circumstance that if the inquiry before the election committee had been proceeded with, it must have led to the disfranchisement of that borough, so flagrant and gross had been the bribery which prevailed there at the last election. Now, he thought that the House having agreed to the principle that an inquiry into those cases enumerated in the motion ought to be instituted, it appeared to him that to exclude Lewes (which was really the strongest case) would be to do a great injustice. He should only say further, that he was extremely glad the motion was now in such a form that he was able to give it his support. He had felt with his noble friends the Member for Tiverton (Lord Palmerston) and the Member for London (Lord J. Russell), that the motion in the first instance was objectionable in point of form, and though he, in common with his noble Friends, was little desirous of shielding any party, still, the objection in point of form was so strong that he would have subjected himself to any misrepresentation rather than have voted for the motion as originally proposed. The present motion had removed his objections, and he should give it his cordial support.

Mr. Serjeant *Murphy* said, with regard to Lewes, he was utterly indifferent whether it was or was not included in the inquiry, but at the same time he thought, after the hon. and learned Gentleman on his side of the House had challenged inquiry, the House was bound in fairness to the hon. and learned Gentleman himself to include Lewes in the investigation. The House was still more bound to do so after the statements made by the hon. Member's Colleague, that within his own knowledge bribery had prevailed at the last election. He would therefore press upon his hon. and learned Friend the Member for Bath not to withdraw the case of Lewes.

Sir *T. Acland* begged to observe, that the statement made the other evening with respect to Lewes had entirely escaped his mind; still he thought that there was a strong distinction between Lewes and the other cases.

Sir *J. Walsh* said, if he understood the speech of the hon. and learned Member for Bath, that hon. and learned Member had brought forward these charges against hon. Members of this House in a great degree upon the notoriety which common report had given to the matter, and that in all the cases he was not in possession of specific and correct information. It seemed there was a general and current report, which had been substantiated to a certain extent, and the hon. and learned Gentleman had said that, if properly armed, he would probe the festering wound to the bottom. And he thought, also, that the hon. and learned Gentleman had stated he disclaimed all party feeling, all party views in the measure he had brought forward, and therefore he conceived the hon. and learned Gentleman must be anxious to include all cases, from whatever side of the House they might happen to come, and whoever they might happen to implicate. Now, he begged to call to the recollection of the hon. and learned Gentleman one case which had excited very great attention at the close of last year, and in which it was surmised that some compromise of this kind had taken place. He alluded to the case of Bridport. He was the last man to bring forward charges against any individual, but it did appear to him that, under all the circumstances, the case of Bridport last year ought to be included in the proposed investigation. It stood on precisely the same grounds as many of the others.

Mr. *C. Buller* thought that those inquiries would be incomplete if so notorious a case as Bridport was omitted. As a personal friend of the only gentleman who had lost by this arrangement, and whose loss in the House they all deplored, he begged that Bridport might be included among the others.

Sir *R. Peel* thought, that motions of this nature ought not to be made without previous notice being given by the hon. Member who wished to bring any specific case before the House. The hon. and learned Gentleman had given due notice of his motion for inquiry, and, therefore, the House was competent to discuss the question of inquiry into the specific cases which had been named. If they were to take any case that any hon. Member might think fit to bring forward without notice, an indefinite number of places might be suggested, and thus the committee would be overloaded. The words of the hon. and learned Gentleman's motion having now been altered, he would say, that his objection to the motion had been a *boná fide*, and, he thought it, a valid one. It did seem to him, that a reference to the hon. and learned Gentleman's speech, as an historical document, was not sufficient, and that it ought to appear on the journals of the House what were the grounds on which the House had resolved to institute this inquiry. He was quite ready to abide by the case of "Shepherd," which had been cited by the hon. and learned Gentleman. With respect to the question of omitting the case of Lewes, he thought that the motion was now sufficiently definite; that corrupt practices had been charged, it was true, was not within the knowledge of the House; the House could not determine which was true, but they took them, in respect of all the cases, on the statement of the hon. and learned Gentleman; but if they omitted any one of the cases they would be judging. They now took the whole on the statement of the hon. and learned Gentleman. They ought, therefore, to take them all without exception, and he had only to say, that as the hon. and learned Member had adopted his suggestion, he was quite ready to assent to the motion. Still he was not quite sure whether it would not be better to say that the hon. and learned Gentleman had heard, that in the case of the Nottingham election, bribery and corruption had taken place; he was not sure whether the same imputation extended to Harwich. The hon. and learned Gentleman knew what he heard better, of course, than he did. He only wished that the hon. and learned Gentleman had taken more time to frame the motion; but as it stood he should not oppose it.

Mr. *C. Wood*, as chairman of both the committees in which compromises had been avowed to have been made, wished to observe, that in one case the evidence seemed to have been suddenly stopped short just when it was beginning to tell. Both in the cases of Lewes and Penryn he must say that, judging by the evidence which came before them, and by that alone, the committee could only come to one conclusion, and that they had adopted.

Sir *R. H. Inglis* predicted that this inquiry, if successful, would be the deathblow of the whole system which had grown up under the several acts brought respectively in by the right hon. Baronet at the head of the Government, by the right hon. Member for Montgomeryshire (Mr. Williams Wynn), and by the late Mr. Grenville. He was glad that the hon. and learned Gentleman had adopted the suggestion that he had made to him. He had told the hon. and learned Gentleman that he could do nothing without a bill, and now the hon. and learned Gentleman, he was glad to find, said he would move for a bill.

Question agreed to.

Ordered, that a select committee be appointed.

INCOME-TAX.] The Order of the Day for bringing up the report on the Income-tax Bill having been read, the report was brought up and further considered.

Mr. *B. Wood* begged to move the clause of which he had given notice. His object was, to protect persons from a charge of Income-tax upon a larger sum than the net amount of their real income. His objection to the bill in its present shape was, that persons would be taxed for incomes which they did not, in fact, enjoy. No objection could be urged to his proposition except one, that frauds might be committed. As far as he could judge, it would be impossible under his proposal that any frauds could be effected. He threw the whole responsibility on the commissioners, and if there was an alleged loss, it would be for them to ascertain the loss. It surely would not be the object of the Government to tax a man's losses instead of his income. He did hope, then, that the Government would take up this clause, and do something with it, as he was himself no lawyer, and confessed himself unable to do justice to so important a part of the subject as that before the House. He wished to provide that the account of all income shall be made out and ascertained on the following plan, as the case may apply, viz.:—

Income derived under	
Schedule A. on lands, &c., ascertained and confirmed by commissioners....	£100
——— B. on occupation of lands, do.	100
——— C. on annuities, &c. ditto.	100
——— E. on public office, &c. ditto.	100
	£400
Deduct loss sustained under	
Schedule D. on trade, &c., ascertained and confirmed by commissioners	100
Real income......	£300

He moved—

"That nothing in this act contained shall be construed to restrain any person carrying on a concern in the nature of trade, the profits whereof are chargeable under Schedule (D). from deducting any loss sustained therein from the aggregate income for which he shall be charged in other schedules of this act."

Clause read a first time. On the question, that the clause be read a second time,

The *Chancellor of the Exchequer* said, that if he opposed its adoption it was not from any objection to the wording of it, because, if so, he would have been happy to have lent his assistance to amend it in that respect. But he was opposed to it because he apprehended its adoption in the bill would, in the first place, make necessary a total alteration of its provisions; and, in the next, because if the bill were so altered the object of the measure, which was to raise a certain amount of revenue, would be altogether defeated. If the clause were adopted fraud would be impossible. As to that being its effect, there could be no doubt whatever. The hon. Member said that every man should contribute according to the amount of his joint income, and not according to the income he might possess under the different schedules of the bill. Now such a provision was adopted under the first Income-tax, in 1798, for a limited time, but, in 1803, it was abandoned. The object of the bill in its present shape was, as far as was possible, to tax property in the first hands to which it belonged, and to keep out of sight the real available income of the party, and, that being the case, it would be impossible, without an entire alteration of the form of the bill, to adopt the proposed provision. It was abandoned in 1803, because, under the Income-tax under which the power the proposed clause contained was given, it was found that it led to an evasion of the tax to a degree almost beyond belief. For instance, in 1801, three years after the original Income-tax had been in operation, which contained the principle of the hon. Member's proposal, though the rate of the tax was at 10 per cent., the revenue produced by it was only 4,600,000*l.*, and the frauds committed under it, and the openings for evasion that existed, were so great as to form the subject of very general complaint, both on the part of the press and the public. In 1803, the Income-tax was proposed, on the principle of the present measure, when, each class of income being called on to furnish its quota, the revenue produced, in the very first year of the change from the former system, and under a rate of taxation of only 5 per cent., was 3,600,000*l.* The hon. Member had spoken of one case of great hardship caused by this principle, but he (the Chancellor of the Exchequer), after having made many inquiries upon the subject, had not been able to find that there was any such general complaints with reference to the losses which it was alleged it would cause, as to induce him to run the risk of adopting that of the hon. Member, or, which was the same thing, to revert to the tax of 1798. It was an essential object of the tax, as at present proposed, that it should produce the requisite amount to meet the exigencies of the country, and, as he was convinced that that object would be defeated by the proposition of the hon. Gentleman, he should feel it to be his duty to resist it.

Mr. *Ward* supported the clause. It would not affect the structure of the bill at all, and its only effect would be to enable an individual to claim exemption in the case of that which was only a nominal income, and from which he did not derive any profit whatever.

The *Chancellor of the Exchequer* repeated his objections to the proposition on the ground of the fraud and evasion to which it would give rise.

Mr. *B. Wood* said, he really did not see how his proposal could interfere with any part of the bill. The course which would be taken would be simply this: supposing a man to have three sorts of property; one in land, another in the funds, and a third in trade. His property in the funds would be taxed in one way, the land in another, and then he would say to the commissioners that he had losses by his trade. They would investigate this matter, if they disbelieved his statement; and, having satisfied them that he had stated the truth, and that he had had losses under his trade, he would naturally say that as he had already paid the Income-tax upon his landed and upon his funded property, he required some of that money back again to set against that loss in trade. What possible fraud could there be in that? Was a man to be taxed upon a mere nominal income? Was he to be taxed when, upon a comparison of the different kinds of property from which his income was said to be derivable, he showed that he derived no income at all?

Sir *R. Peel* said, it had been found necessary, in the course of the former Income-tax, after trying a different course, which failed, to divide property into different heads, and to make each description contribute to the exigencies of the State. No doubt an exception had been made in favour of persons carrying on two trades, in which case the individual was entitled to set off the loss upon one year against the profit of the other; but to carry out the hon. Gentleman's principle he ought to contend that every man should be taxed according to his income, and if he proposed that he would make a more extensive change in the act than he imagined the hon. Gentleman meant. Suppose the case of a man deriving 10,000*l.* a year from land, but choosing to employ 1,000*l.* a-year upon a farm of his own. If he lost that 1,000*l.* that would be a clear deduction from the rents paid by his tenants; but would it be contended that an allowance should be made on account of his entering into a commercial speculation for which he was ill qualified. If the hon. Gentleman's principle were adopted, the inquisition would be ten times more severe than under the present bill, for the inquisition under schedule D must be extended to schedules A and B. The Legislature had been formerly obliged to substitute for the course originally proposed a different course, on account of the fraud and evasion to which the first had given rise, and the result of the change had been, that with one-half the tax under the new system they derived nearly an equal amount of revenue. He hoped, therefore, the House would pause before it adopted a course which would break down the whole efficiency of the measure.

Viscount *Howick* said, that all the hon. Member for Southwark wished was, to extend a principle contained in this bill a little further, and he must say, that he considered the demand perfectly reasonable and just. The right hon. Baronet said, that it would be difficult for the commissioners, under such a clause as was proposed by the hon. Member for Southwark, to ascertain profit and loss in any case where the income was derived from different sources; but was not the prinple of this bill to ascertain profit and loss in all cases, so as to strike the balance on which the tax was to be paid. By this bill, if a party had two mines or two manufactories, he would be at liberty to set off the loss of one mine or one manufactory against the gains of the other; but where he had one mine and one manufactory a different principle was applied. In the case of a mine and manufactory there could be no set off, that is, the loss of the one could not be set off against the gain of the other, with a view to ascertain the real income, and for no better reason than because the one stood in schedule E, and the other in schedule D. They should recollect that the placing the two subjects in different schedules was a matter of mere convenience to the Government, and he could not help thinking that the refusal to allow a set off in such a case was not only contrary to common sense, but in the highest degree unreasonable. As to the case of the farmer, to which the right hon. Baronet had referred, the rule laid down there was arbitrary, and adopted merely because it was said, that keeping no books, farmers would be unable to return any account of their income. He (Viscount Howick) had protested against this rule, and his belief was, that in the parts of the country with which he was acquainted, it would operate unfairly. They had, however, laid down the rule, but in the present instance all that was wanted was an extension of the principle applicable to two pursuits falling within the same schedule. The proposition was, in his judgment, perfectly just, and he should therefore vote for it.

The *Chancellor of the Exchequer* contended, that there was no injustice in the case, and to show this he had only to refer to the fact, that this measure went to charge every person in this country who derived their incomes from foreign possessions. Now, take the case of a man working gold mines in Mexico, or cultivating plantations in the West Indies, would it be right to allow such a party to deduct from his income derived from the funds losses occasioned by his speculations in either Mexico or the West Indies? If such a principle were admitted, the result would be evasions of the law, which would go, if not to defeat it altogether, at least to render its pressure unfair and partial.

Viscount *Howick*, in explanation, said, that although it might not be right to allow deductions on account of foreign losses, still that was a different case from the present.

Alderman *Humphery* said, that the principle contended for by his hon. Friend was admitted on a small scale, and he could not understand why it should not be on a larger. Where a party engaged in trade had 150*l.* a-year from the funds, he was allowed a deduction for losses in trade, and he thought the same principle should be followed where a trader had 1,000*l.* a-year from the funds, and sustained a loss of 1,000*l.* by his business. In such a case he could have no income, and therefore it would be unjust to impose the tax.

Mr. *A. Chapman* could not support the right hon. Gentleman, the Chancellor of the Exchequer, on this occasion. If losses occurred under any of the schedules, they ought to be allowed to be set off; and if this were not permitted, the result would be great hardship on the parties whom he represented.

Mr. *James* contended, that parties should be allowed to deduct premiums paid on life and fire insurances, and said, that if this were not done, trustees more especially would be placed in a situation of great difficulty. He should support the clause of the hon. Member for Southwark.

Mr. *Hume* said, that where a party relied for income on a variety of sources, he ought to be allowed to balance profits and loss of the aggregate to show the amount liable to the tax.

Mr. *G. W. Wood* supported the clause on the ground, that the tax should only be imposed on the actual income, no matter how derived.

Mr. *Hawes* supported the motion; he was of opinion that nothing could be more just than what was required by the hon. Member, for it was only fair that the loss which an individual might sustain in trade should be allowed for in the way in which it was proposed to be done by the clause which had been moved by the hon. Gentleman (Mr. B. Wood.) He hoped, at all events, that the clause would not be decided upon without full consideration.

The House divided on the question, that the clause be read a second time:— Ayes 66; Noes 110:—Majority 44.

List of the Ayes.

Aldam, W.
Barclay, D.
Barnard, E. G.
Bell, J.
Bernal, R.
Bowring, Dr.
Brotherton, J.
Browne, R. D.
Buller, E.
Busfield, W.
Cayley, E. S.
Chapman, A.
Childers, J. W.
Cobden, R.
Crawford, W. S.
Dalrymple, Capt.
Drax, J. S. W. E.
Duncan, Visct.
Duncan, G.
Ferguson, Sir R. A.
Forster, M.
Gill, T.
Grey, right hon. Sir G.
Guest, Sir J.
Hall, Sir B.
Hawes, B.
Hay, Sir A. L.
Hill, Lord M.

Howick, Visct.
Hume, J.
Humphery, Ald.
Hutt, W.
James, W.
Johnston, A.
Kemble, H.
M'Taggart, Sir J.
Mitchell, T. A.
Morris, D.
Muntz, G. F.
Norreys, Sir D. J.
O'Brien, W. S.
Pechell, Capt.
Philips, G. R.
Pryse, P.
Rice, E. R.
Ricardo, J. L.
Rundle, J.
Russell, Lord J.
Scholefield, J.
Scott, R.
Scrope, G. P.
Smith, B.
Somers, J. P.
Staunton, Sir G. T.
Tancred, H. W.
Thornely, T.
Trotter, J.
Tufnell, H.
Turner, E.
Vyvyan, Sir R. R.
Wakley, T.
Walker, R.
Wawn, J. T.
Williams, W.
Wood, C.
Wood, G. W.

TELLERS.
Ward, H. G.
Wood, B.

List of the NOES.

Arbuthnott, hon. H.
Arkwright, G.
Bailey, J.
Bailey, J. jun.
Baird, W.
Baldwin, B.
Baring, hon. W. B.
Bentinck, Lord G.
Bernard, Visct.
Blackburne, J. I.
Bodkin, W. H.
Boldero, H. G.
Bramston, T. W.
Campbell, Sir H.
Campbell, A.
Cardwell, E.
Chetwode, Sir J.
Christopher, R. A.
Chute, W. L. W.
Clerk, Sir G.
Clive, hon. R. H.
Cockburn, rt.h. Sir G.
Collett, W. R.
Conolly, Col.
Coote, Sir C. H.
Copeland, Mr. Ald.
Corry, rt hon. H.
Cripps, W.
Damer, hon. Col.
Denison, E. B.
D'Israeli, B.
Dodd, G.
Douglas, Sir H.
Drummond, H. H.
Duffield, T.
Eliot, Lord
Escott, B.
Filmer, Sir E.
Fitzroy, Capt.
Flower, Sir J.
Ffolliott, J.
Forbes, W.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. h. W.E.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. h. Sir J.
Greenal, P.
Greene, T.
Gregory, W. H.
Grimsditch, T.
Grogan, E.
Harcourt, G. G.
Hardinge, rt. h. SirH.
Heneage, G. H. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hogg, J. W.
Hope, hon. C.
Inglis, Sir R. H.
Irton, S.
Jackson, J. D.
James, Sir W. C.
Jermyn, Earl
Johnson, W. G.
Knatchbull,rt.hn.SirE.
Knight, H. G.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Leicester, Earl of
Lyall, G.
Lygon, hon. General
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.
Mainwaring, T.
Manners, Lord C. S.
Martin, C. W.
Master, T. W. C.
Mundy, E. M.
Packe, C. W.
Patten, J.W.
Peel, right hon. Sir R.
Peel, J.
Praed, W. T.
Pringle, A.
Rolleston, Col.
Round, C. G.
Round, J.
Rushbrooke, Col.
Sanderson, R.
Shaw, rt. hn. F.
Smith, A.
Somerset, Lord G.
Stanley, Lord
Stewart, J.
Sturt, H. C.
Sutton, hon. H. M.
Thesiger, F.
Tollemache, J.
Trollope, Sir J.
Vesey, hon. T.
Wilbraham, hn. R. B.
Wood, Col. T.
Wortley, hon. J. S.
Young, J.

TELLERS.
Freemantle, Sir T.
Baring, Mr. H.

Mr. *Gill* moved a series of amendments. His object was to capitalise all incomes not derived from landed or funded property, and to charge 5 per cent. on such capital, as the ground-work of the property-tax. He would take the sense of the House upon his amendment.

Schedule (A), Rule 2. page 33, line 17, after the word "limited," to insert, "Provided always, that in every case where the party to be assessed has a life interest only in such profits, the value of such life interest shall be ascertained, and the amount thereof be deemed to be so much capital; and for the purposes of this Act the profits to be assessed shall be computed at the rate of five pounds for every hundred pounds of such capital."

The *Chancellor of the Exchequer* opposed the amendment as at variance with the principle of the bill.

The House divided on the question that the proposed words be inserted.—Ayes 36: Noes 183;—Majority 147.

List of the AYES.

Bell, J.
Bowring, Dr.
Brotherton, J.
Cavendish, hon. C. C.
Craig, W. G.
Crawford, W. S.
Dalrymple, Capt.
Dennistoun, J.
Duncombe, T.
Ebrington, Visct.
Forster, M.
Gore, hon. R.
Granger, T. C.
Hill, Lord M.
Hutt, W.
James, W.
Marshall, W.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Murray, A.
O'Brien, W. S.
Pechell, Capt.
Pryse, P.
Rundle, J.
Scholefield, J.
Smith, B.
Stansfield, W. R. C.
Strutt, E.
Tufnell, H.
Wakley, T.
Watson, W. H.
Wawn, J. T.
Williams, W.
Wood, B.
Wood, G. W.

TELLERS.
Gill, T.
Hume, J.

List of the NOES.

A'Court, Capt.
Acton, Col.
Adderley, C. B.
Alford, Visc.
Allix, J. P.
Arbuthnott, hon. H.
Arkwright, G.
Baillie, J.

Bailey, J., jun.
Balfour, J. M.
Baring, hon. W. B.
Barrington, Visc.
Bateson, Sir R.
Bell, M.
Bentinck, Lord G.
Beresford, Capt.
Bernard, Visct.
Blackburne J. I.
Boldero, H. G.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Brooke, Sir A. B.
Bunbury, T.
Campbell, A.
Cardwell, E.
Chapman, B.
Charteris, hon. F.
Chelsea, Vict.
Chetwode, Sir J.
Clements, H. J.
Clerk, Sir G.
Clive, hon. R. H.
Cochrane, A.
Cockburn, rt. hn. Sir G.
Codrington, C. W.
Collett, W. R.
Colvile, C. R.
Compton, H. C.
Conolly, Col.
Coote, Sir C. H.
Copeland, Ald.
Corry, rt. hon. H.
Cowper, hon. W. F.
Cresswell, B.
Cripps, W.
Curteis, H. B.
Damer, hon. Col.
Denison, E. B.
D'Israeli, B.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Drummond, H. H.
Duffield, T.
Duncombe, hon. A.
Duncombe, hon. O.
East, J. B.
Eaton, R. J.
Egerton, W. T.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Fellowes, E.
Filmer, Sir E.
Fitzroy, Capt.
Flower, Sir J.
Ffolliott, J.
Forbes, W.
Forester, hon. G.C.W.
French, F.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W.E.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. R. O.
Gore, W. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Greenall, P.
Greene, T.
Gregory, W. H.
Grimsditch, T.
Grimston, Visct.
Grogan, E.
Halford, H.
Hamilton, J. H.
Hamilton, W. J.
Hatton, Capt. V.
Heneage, G. H. W.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hill, Sir R.
Hillsborough, Earl of
Hodgson, R.
Holmes, hon. W. A'Ct.
Hope, hon. C.
Hornby, J.
Humphery, Ald.
Inglis, Sir R. H.
Irton, S.
Jackson, J. D.
Johnson, W. G.
Johnstone, Sir J.
Johnstone, H.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Lawson, A.
Layard, Capt.
Lefroy, A.
Legh, G. C.
Leicester, Earl of
Liddell, hon. H. T.
Lindsay, H. H.
Lygon, hon. General
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.
M'Geachy, F. A.
Maher, V.
Mainwaring, T.
Manners, Lord C. S.
Marsham, Visct.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Meynell, Capt.
Miles, P. S. W.
Mordaunt, Sir J.
Morgan, C.
Munday, E. M.
Neeld, J.
Neville, R.
Nicholl, rt. hon. J.
Norreys, Lord
Norreys, Sir D. J.
Packe, C. W.
Pakington, J. S.
Palmer, R.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Plumptre, J. P.
Pollington, Visct.
Pollock, Sir F.
Praed, W. T.
Pringle, A.
Rashleigh, W.
Reade, W. M.
Reid, Sir J. R.
Rose, rt. hn. Sir G.
Rushbrooke, Col.
Russell, J. D. W.
Saunderson, R.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Sibthorp, Col.
Smith, A
Smyth, Sir H.
Somerset, Lord G.
Stanley, Lord
Stewart, J.
Sturt, H. C.
Sutton, hon. H. M.
Talbot, C. R. M.
Tennent, J. E.
Thesiger, F.
Tollemache, J.
Trolloppe, Sir J.
Trotter, J.
Turnor, C.
Vere, Sir C. B.
Verner, Col.
Vesey, hon. T.
Waddington, H. S.
Young, J.

TELLERS.

Fremantle, Sir T.
Baring, H.

Sir *R. Inglis* called the attention of the House to the proposition which he had already brought before its notice; namely, that the Income-tax should only be reckoned on every pound of income above 150*l.* He would not press the proposal as a motion, but trusted that the right hon. Gentleman, the Chancellor of the Exchequer, would direct his attention to the suggestion.

Sir *R. Peel* wished any discussion which might take place upon the proposition to be taken upon the third reading of the bill.—Subject postponed.

Remaining clauses agreed to, with amendments.

EXCISE DUTIES COMPOUNDS.] On the Order of the Day being read for the House going into committee upon the Excise Duties Compounds Bill,

The *Chancellor of the Exchequer* rose to move

"An instruction to the committee on the Excise Duties Compounds Bill, to receive a clause to suspend, for a limited time, the repeal of the malt drawback in Ireland."

During that period some decision could be come to as to whether the view originally taken by the House upon the sub ject was or was not a true one. The delay would give an opportunity to those who felt themselves interested, to represent the mode in which the grievance affected them, and the House would thus be enabled to act with more satisfaction to all classes in Ireland.

Mr. *Smith O'Brien* was understood to

oppose the proposition as one which would be greatly unacceptable to Irish distillers.

Mr. *Baring* suggested to the Government to take that opportunity of looking into the whole question of the malt drawback, both as it affected Scotland and Ireland.

Motion agreed to.

The House then went into committee on the bill, *pro formâ*. The bill passed through the committee, and was reported with amendments.

PAYMENT OF WAGES COMMITTEE.] The Order of the Day for the adjourned debate on the appointment of the committee on the payment of wages was then read.

Mr. *Ferrand* moved that the Members whose names were printed in the votes should form the committee.

The names of Mr. Ferrand, Lord Ashley, Mr. Stuart Wortley, Mr. John Fielden, Viscount Jocelyn, Mr. Sharman Crawford, Mr. H. R. Yorke, and Mr. Baird, were agreed to.

On the name of Mr. G. W. Wood being proposed, that Gentleman excused himself from serving.

Mr. *Ferrand* had nominated the hon. Gentleman at the request of several of the working classes, who had reposed the greatest trust in the hon. Member.

The hon. Member was excused.

On the name of Sir Josiah John Guest being put.

Mr. Alderman *Copeland* vindicated the Rhymney Iron Company from the attacks which had been made on it, and expressed a hope that that would be the first Company subjected to inquiry before the committee. The hon. Gentleman then proceeded to attack the Dowlais Company as being mixed up with the truck system, but at the same time he must say that there might be circumstances under which it would be of the greatest advantage to establish a truck shop. He had lately in Staffordshire been asked by his own workmen to open a shop.

Sir *J. J. Guest* would challenge every inquiry into the conduct of the Dowlais Company. He had never paid his workmen in anything except sterling coin.

Mr. *V. Stuart* said, that the hon. Member for Knaresborough having on a former evening stated that "a firm at Portlaw, in the county of Waterford, carried on the infamous truck system in full operation," the firm of Malcomson Brothers, the only factory there, had furnished him with the following reply to the hon. Member's assertion;—

"From five to six hundred (nearly one-half) of the operatives live in their own or other houses, not built by us; and instead of being compelled, it has always been considered a favour by them to be admitted to occupy ours. The establishment of the factory about seventeen years since, having increased the population of the village from 400 to about 4,000, we were necessarily compelled to provide accommodation by building. The rents of our houses are indicated in a note at foot, and although we keep them in repair, they are let at fully 30 per cent. less than is paid for similar houses to other owners. Their relative cheapness is evidenced by the fact, that whilst under the Poor-law valuation of last year, every other house let to tenants in the village was valued under the rent paid, not one of ours was. We do not, however, take any credit to ourselves in thus cheapening the rents of the neighbourhood, under conviction that our own interest is identified with the operatives therein. With reference to the rents being stopped out of the wages, it was formerly done, and the tenants would still prefer it, but several years since, we established a rule that rents should not be stopped out of wages, but be paid on fixed rent days to a person appointed to receive them. When the factory was established, considerable inconvenience was experienced in there being no place within eight miles where the work-people could get supplied with groceries and articles of apparel, and to meet this the shop alluded to was opened, and is still kept on, but at no time has there been any influence used to induce the work-people to purchase at it. It is not, as stated, attached to the premises, but is situate in the village at some distance, and derives considerable support from the gentry, farmers, and other residents of the neighbourhood. From the risk and inconvenience of bringing a supply of silver from our banker's, over twenty miles distant, and to enable us to pay wages regularly once a week, we some years since, under advice of counsel, established a circulation of shillings and half-crown tokens, which pass in lieu of, and are as highly valued as, silver in the neighbourhood; gentlemen and farmers using them on all occasions. When an individual's wages amounts to 1*l.*, we pay in a bank note, unless tokens are requested, which is generally the case. They are taken in again by a person in the village, who is at all times ready to pay Bank of Ireland notes or silver in exchange; the latter, however, is seldom asked for, except by persons living at a distance. As already stated, these tokens are equally negotiable through the village and neighbourhood. If the assertion were correct, it would follow that the sales of the shop were equal in amount to the wages paid. In the last six commercial years, ending the 31st July, we have paid over 100,000*l.* in wages; during this time the shop receipts have been 20,925*l.*, of which at least one-third would have been from farmers and others, strangers to the establishment, leaving for the work-people's share say 14,000*l.*, which is not one-seventh of the sum paid. The total profits of the shop for this period will appear by our books to have been 865*l.* 12*s.* 11*d.*, a fraction over $4\frac{1}{8}$ per cent., which we should not consider equivalent to the trouble it entails, if we did not view our interest identified with that of those we employ in promoting their accommodation.

"Malcomson Brothers.

"*Mayfield Factory, Portlaw, 5th month 2d,* 1842."

The following additional names were then added to the committee:—Earl of Hillsborough, Mr. T. Duncombe, Mr. Beckett, Mr. C. Villiers, Sir J. Hanmer, Mr. M. Sutton, and Mr. Cobden.

House adjourned.

HOUSE OF LORDS,

Thursday, May 10, 1842.

Minutes.] Bills. *Public.*—2^{a}. Bribery at Elections; Copyright.

Reported.—Exchequer Bills; Victoria Park; Knightsbridge and Kensington Openings.

3^{a}. and passed:—Parish Property.

Private.—1^{a}. Ferry-bridge and Borough-bridge Road.

2^{a}. Equitable Gas; Bristol Floating Dock; Ellesmere and Chester Canal; Pilkington's Estate; Christopher's (or Manners) Estate.

Reported.—Kingsclere Inclosure; Huish Champflower Inclosure, &c.; Gosport Pier; Great Torrington Market; Kirkintilloch Roads; London and Blackwall Railway (specially); Northern Union (Newcastle and Darlington Junction) Railway (specially); Liverpool Paving and Sewerage.

Petitions Presented. From James Henry Scudamore Burr, M.A., for the Repeal of the Tithe Commutation Act.—From Wesleyan Methodist of Meltham, for Repeal of the Corn, and those Laws which obstruct the Exportation of English Manufactures.—From Shelly, in the Parish of Ruberton, Caaven Chapel, Marshall-street, Golden-square, and other places, for Repeal of the Provision Laws.—From Huddersfield, Truro, and Wakefield, for the Repeal of the Income-tax.—From Members and Friends of the Church of Scotland at Gilcomster, for the Abolition of Patronage.—From Berks, Henburst, Duffus, Rothes, Alves, Drainrey, Birnie, St. Andrew's, Elgin, Urquhart, and other places, for Protection to the Agricultural Interest.—From the Synod of Caithness, and Sunderland, for the Better Observance of the Sabbath.—From Warrington, Scarborough, Wigton, Braeman, Coeshie, and other places, for the Adoption of a Measure the better to secure Religious Instruction to the Roman Catholics in the Army and Navy.—From Coventry, for Alteration of the Law respecting the Rating of Ecclesiastical Property.

Bribery at Elections.] Lord *Brougham* craved their Lordships' attention to a subject of very great importance, to which he had already more than once alluded in the course of the Session,—he meant the bribery and other corrupt practices which had taken place but too extensively at the last general election. He was induced the more particularly to call their Lordships' attention to the subject on the present occasion, from observing in the votes of the other House of Parliament that a select committee of that House had been appointed, for the purpose of inquiring into certain corrupt compromises alleged to have taken place in respect of charges of bribery brought before committees of that House and connected with the late election; and also, to inquire into the alleged bribery said to have been practised at that election. Now, the Bill which lay upon their Lordships' Table, having for its object the prevention of bribery at elections, would, if passed into a law, be of the most material assistance to the committee which the other House had appointed in the prosecution of its inquiries. It would also be of equal assistance to the committee which, he trusted, their Lordships would appoint, for the purpose of carrying on a similar investigation—though with a view different, of course, from that of the committee of the House of Commons—with a view merely legislative—with a view prospectively to amend the law for the purpose of preventing such wicked and scandalous practices for the future. He was, however, induced to call their Lordships' attention to the subject most especially upon this account, that he understood it had been charged against—he would not say himself individually, or his noble and learned Friend on the Woolsack, or the noble and learned Chief Baron (Lord Abinger) opposite—but against their Lordships' House generally, that they had been parties to the late scandalous proceedings, of which all men complained, and of which most men were now ashamed, by having rejected a bill, or the greater part of a bill, which had been sent up to them from the other House of Parliament, and of which, there being four clauses in the bill, their Lordships had certainly struck out three. It was quite impossible that any such charge as this could have been made in the other House of Parliament, because in that quarter it must be perfectly well known that such a charge was wholly without foundation; but the charge had been made, as he understood, out of doors, and very great umbrage had been taken at the proceedings of their Lordships' House in the month of June last, when their Lordships made those changes in the bill sent up from the Commons, the consequence of which changes, it was said, had been the encouragement of the bribery and corruption so rife at the last election. It was said, that if, instead of altering the measure as they did, their Lordships had allowed it to pass as it came up from the House of Commons, a more effectual check to bribery would have been afforded, and a material amendment of the law effected. Now it was at his suggestion, that their Lordships had struck out the three clauses of the bill which operation was said to have destroyed it; and he still maintained that it was utterly impossible for their Lordships to have passed such a bill as was sent up to them. Nay, he went further, and said that if their Lordships had passed it, beside giving their countenance, which thereby they would have given, to the absurdities and contradictions which appeared on the face of the bill, they would have taken the most effectual means that man's wit could devise, not to prevent, but to protect and even to encourage bribery at the late election. It was said, by way of aggravation of the charge made against their Lordships, that they were now entertaining a similar bill, namely, his bill which stood for a second reading, to which he could not anticipate any opposition whatever, from any quarter of their Lordships' House, and which in the course of a few days he hoped to see carried down to the other House, and shortly afterwards to find made the law of the land. Any two measures more different than the measure now upon their Lordships' Table, and the measure sent up from the House of Commons last year, it was difficult to conceive. That there were some few points of similarity in both was true. They were both indemnity bills. They both gave indemnity to witnesses; and that the words giving the indemnity might be nearly similar in both was probable, because they were taken from preceding acts, in which witnesses, under similar circumstances, had been indemnified, namely from the acts passed in 1834 and 1835, to give indemnity to the witnesses in the cases of the Warwick, Stafford, and Liverpool elections; but in no other respect were the two measures in the slightest degree similar. They differed as to the persons to whom the indemnity was given, as to the party who was to give the indemnity, and as to the conditions on which the indemnity was to be given; in short, they differed in every one particular circumstance, both as regarded the party indemnified, the tribunal to indemnify, and the conditions and circumstances on and in which the indemnity was to be extended. The bill of last year gave indemnity, not at the discretion of the committee, but universally and without exception to every witness called and examined before an election committee. Every witness so produced and examined was by force of law (according to the provisions of that bill) absolutely indemnified, not only against the penal consequences, but against the civil incapacities and disqualifications attendant upon the act of bribery. And indemnified how? and on what conditions? By the act of calling him as a witness and by that act alone. So that any party having committed bribery by himself through the means of others, any one conscious that he had been guilty of the most scandalous and wholesale bribery and corruption, and that he had employed a score or a cloud of agents to carry his bribery and corruption into effect, had only to put one after another of his agents — the instruments of his corruption—the accomplices of his crime—into the witness box of the committee, and to ask each of them one question, which if he answered truly he (the witness) was to be for ever after free and fully absolved from all the consequences of his crime. That was the bill sent up last year. Its operation, too, unlike that of the measure now upon their Lordships' Table, was not to be merely retrospective—was not merely to apply to offences that had been committed—but was to act prospectively, and thus on the eve of a general election it proclaimed to all mankind that they might bribe with absolute impunity, and shewed them in what manner that impunity might be effectually secured, such was the nature of the bill of last year. The measure now before their Lordships was limited to acts that had been already done: when the mischief, if any, was over—when the crime, if any, had been perpetrated—when no impunity was held out prospectively—when no temptation was given for the future—when the effect of the indemnity afforded by the bill could only be to let those who had been guilty escape, upon condition of making a clean breast, and enabling Parliament to discover the legislative means for preventing prospectively and generally a repetition of such offences. Again, by the bill of last year, parties were called upon compulsorily to criminate themselves—no option, no choice was given. It did not sáy to the party, as the present bill said, "If you make a clean breast you shall go harmless for what you have already done," but it said absolutely and peremptorily, "Whether you will or no, on pain of instant punishment by imprisonment, you are bound to disclose all you have done, and to give evidence to criminate yourself." So said the bill of last year. But that was not all. There were some, indeed, who maintained that this would be an expedient course of proceeding. He gave no opinion upon that point. He merely adverted to it to show how materially in that respect the bill of last year differed from the measure now before them. But there was this also in the last year's bill, that a party examined before an election committee was bound to tell all he knew, in whatever manner his knowledge had been acquired. The husband was bound to criminate the wife, the wife to accuse the husband, the agent to impeach his principal, the attorney or solicitor to betray his client, the counsel also to give up his client. Yes, the very counsel, he who had been confidentially instructed for the purpose of making a legal defence—he, the counsel, was called upon, whether he would or no, to disclose that which to him had been professionally, and therefore confidentially, intrusted, intrusted to him not as an accomplice, but after the alleged act had been done, and for the purpose of a legal defence in a court of justice. There was no such thing in the present bill. There was no compulsion upon parties so situated, no compulsion upon any party to do that which was contrary to the first principles of English justice, either to betray the confidence reposed in him, or to criminate himself. It was one thing to give no protection to a guilty party, or to the accomplice or agent of a guilty party. Their Lordships might or might not be advised so to proceed. But the bill of last year comprehended in its compulsory provisions the case of parties who were not agents, not accomplices in the commission of the bribery or corruption. It extended to the solicitor or counsel, wholly innocent of the bribery, but to whom, after the bribery had been committed, it had been confidentially, because professionally communicated, for the purpose of defence in a court of law, and that counsel or that solicitor was bound, by the bill of last year, to come and betray the confidence so professionally reposed in him. And, as if anything were wanting to complete the gross absurdity of that measure (for its absurdities were even greater than its enormities), there was this further inconsistency, that, affecting to give a complete indemnity, it gave only this imperfect indemnity—it indemnified the witness from all legal proceedings, with a proviso that the witness in question should have spoken the truth before the committee, and suppressed no part of it in giving his evidence; so that there would have been that collateral and preliminary issue to try when the man was placed upon his trial. The last year's bill did not give the witness the absolute and certain indemnity by certificate of the committee as would be given by the present bill, and which in fact was the only rational mode of giving it, but merely gave him the power of setting up a defence upon his trial, and compelled the court to try this other issue, whether or not he had spoken the truth before the election committee, and whether he had told the whole truth, or kept any part of it back. He passed over the lesser grounds which had actuated their Lordships in the course they took last year, and confining himself to the points to which he had briefly adverted, he said, in the first place, that anything more unfit to receive the sanction of their Lordships' House than the bill of the last Session never came up to them from the other branch of the Legislature, or ever was laid upon their Table by any Member of their own body; and, secondly, he said that anything more diametrically opposite to the present bill, to which he entreated their Lordships' favourable consideration, could not be imagined. He therefore thought he had a good right to say, that no one had any title to complain of their Lordships for having thrown out the bill last year, when he recollected what then passed. When he took the objections to the bill, in which his noble and learned Friend upon the Woolsack and the noble and learned Lord (the Chief Baron) also concurred—when he took those objections his noble Friend (the Marquess of Normanby) behind him, who had moved the second reading and committal of the bill, made no kind of defence for it—did not say one word in its favour. Neither did his noble and learned Friend then upon the Woolsack (Lord Cottenham) say anything for it. [Lord *Cottenham*: Nor against it.] That would have been superfluous. He and those who opposed the bill had saved his noble and learned Friend that trouble. There was no occasion for his noble and learned Friend to say anything against it; but if he had really approved of it, there was a little more occasion for his saying something, if it were possible, in its favour. But his noble and learned Friend was silent—it was unnecessary for him to say anything against the bill, and he did not attempt to say anything in its defence. Under such circumstances he maintained that he, and those who thought and acted with him, were not to blame for the defeat of the bill. He believed that their Lordships, by their acquiescence in the course which he suggested, had all, as with one voice, testified their opinion that the measure, instead of preventing, would only have tended to encourage the bribery and the other corrupt practices which it was designed to abolish. If it were said, "Why did you not alter the bill more than by leaving out the three clauses? Why did you not mould and new model the other clauses, so as to obtain a more effectual measure than you allowed to receive the sanction of the House?"—his answer to such a question was, he thought, wholly irrefragable. It was this—that the bill was sent up to their Lordships on the very eve of the dissolution of Parliament—that it came up to that House so as to be first discussed on the motion for going into committee, no earlier than on Thursday, the 17th of June—that the dissolution of Parliament was to take place on the 22d, the Tuesday following—that even to make the one change which was effected in it, namely, the striking out of the three clauses, it was necessary to make the alteration, not in the ordinary and usual course, in the committee, but upon bringing up of the report—that less regular course being resorted to in order to save a day—and finally, and in a word that it was absolutely and physically impossible for their Lordships to have made any other alterations in the bill, so as to have passed it through their Lordships' House and have sent it back to the Commons, and received it again from them, within the short period allowed for the continuation of the Session. These facts must, he thought, be held sufficient to exempt their Lordships wholly from the charge either of improperly rejecting the bill, or of not having substituted a better in its stead. And now, to show that they (the Members of the House of Lords) of all men, were the most averse to anything that looked like the remotest idea of defending or screening such practices, or of throwing any, the least impediment in the way of having them thoroughly investigated, and if possible effectually prevented for the future, he urged their Lordships to lose no time, to take care that there should be no other charge made against them from any quarter of delay, procrastination, or obstruction, in connection with this important question; he urged them, he said, to lose no time, but to proceed at once to pass such a measure as should enable the committees of both Houses of Parliament to prosecute their inquiries in respect to the practices at elections, with a fair prospect of getting at the root of the evil. He had not appended to the bill upon their Lordships' Table any provisions in reference to what in the votes of the other House of Parliament were called "corrupt compromises" upon these questions. If the other House should be so advised, it would be for them to legislate upon that point. It was their affair rather than the affair of their Lordships; and if they were disposed to legislate upon it, it would be for them to add such provisions as they deemed expedient to this bill when it was sent down to them. But in alluding to this practice of compromise, he must be suffered to say, that, although he thought there might possibly be very grave offences—very grievous offences—committed against the law and privileges of Parliament by the parties corruptly returned, and who would afterwards be anxious to escape the exposure of their conduct, and the punishment that must await them upon the proof of their evil doing—whatever blame might be imputable to such parties, of that he would then say nothing—but he must be suffered to say, that he thought it would be the hardest, the most unfair, and indeed, upon the highest grounds of expediency as well as justice, the most impolitic course to take, to visit with any censure, not the parties who had been guilty of such offences, but those who were petitioners for seats, the occupants of which they charged with mal-practices, because they (the petitioners) withdrew their objections to the return upon the seats being abandoned. He held that a party petitioning for a seat petitioned in a private capacity, and not as a public accuser. If there were to be a protection to the public in these matters—if the Legislature could not allow the interests of Parliament and the purity of election to be intrusted to the hands of private parties—which clearly it could not—which clearly it ought not—then the true course to take was to appoint officers to watch over the interests of the public, to guard the rights of Parliament, and preserve the purity of election. But as regarded the private individual who petitioned for a seat, it was quite enough for him if his adversary did not defend what he had improperly gotten; and the petitioner had a right to take the benefit of his antagonist's retreat. The private petitioner was not bound to go on with the inquiry — was not bound to incur the ruinous expense of prosecuting a case abandoned by his adversary—was not bound to expose himself to all the anxieties, as well as all the expenses, consequent upon the proceedings of an election committee; if he could obtain at once all that he petitioned for by the retreat of his adversary, it was clear that he had a right to avail himself of the advantage so afforded to him. When he said this, he trusted that no man would for one moment suppose that there existed in either House of Parliament, either in doors, or out of doors, any individual who regarded with greater abhorrence and disgust than he did the corrupt practices which were said to have lately prevailed; but their Lordships might depend upon it that the worst thing for the cause of morality itself was to take exaggerated views—to make strange, and far-fetched, and exaggerated charges; because their Lordships might always be well assured, that as the general opinion of mankind would refuse to go along with them, when they unjustly denounced an innocent party, so would the guilty be very likely to escape if accusations were made and entertained against parties who in reality had been guilty of no offence. Having thus called their attention to the subject, he now begged to move that their Lordships would proceed at once to give a second reading to the bill upon their Table, and if any opposition, which he could not possibly anticipate, should be raised to any part of it, he hoped that their Lordships would consent to take the discussion that must then necessarily arise upon the motion for going into committee, so as to demonstrate to the other House of Parliament, to their accusers, and to the country, first, that they were most anxious to throw no impediment in the way of these wholesome and necessary inquiries; and, secondly, that they had the strongest disposition to act hand in hand cordially and harmoniously with the other House of Parliament, in applying a remedy to this great and crying evil. The noble and learned Lord concluded by moving that the Bribery at Elections Bill be now read a second time.

The Earl of *Wicklow* did not rise to offer any opposition to the bill, but merely to inquire whether, in point of form, the noble and learned Lord was at liberty to move the second reading of the bill without having given any previous notice. The bill might be perfectly unobjectionable, and, as far as he had read it, it appeared to be so; but he was strongly of opinion that the forms of the House, as related to the progress of the business before it, should be strictly adhered to.

Lord *Brougham* observed that notice was not demanded by the forms of the House. It was a mere courtesy.

The *Lord Chancellor* thought that there could be no objection then to read the bill a second time, with the understanding that any discussion upon it should take place on the motion for going into committee.

The Earl of *Wicklow* would not object to that course, provided it were understood that it should not be drawn into a precedent. It was in his opinion essential that the usual forms of the House, whether derived from rule or courtesy, should be rigidly observed.

Bill read a second time.

ROMAN CATHOLIC WORSHIP—(INDIA).] Lord *Clifford*, of Chudleigh, presented six petitions from Roman Catholics in different parts of England, complaining of grievances in the want of the means of religious instruction to their fellow-subjects of the same creed in the army and navy, and some of our foreign possessions, and also in prisons and workhouses. He concurred in the prayer of the petitions, and he hoped that the attention of Government would be directed to the subject. He had given notice,

> "That a committee of this House be appointed to inquire how far it is in the power of the Governor in Council in the Presidency of Madras to afford that protection to her Majesty's subjects, whether British or native, which it was the intention of the East India Bill of 1833 that they should thenceforward enjoy; and that such committee be instructed to hear evidence on the subject and to report thereon to the House."

It had been his intention to urge this motion on the attention of their Lordships, but circumstances which had lately occurred in India induced him not to press it at the time. He would only state some of the grounds of the course he took. An Irish Roman Catholic priest went to Calcutta at the time when his noble and lamented Friend (Lord W. Bentinck) was Governor-general of India. That clergyman, on arriving at Calcutta, produced his authority from the head of the Catholic church to exercise his functions as a minister of that communion. To the extent of receiving that rev. gentleman, and sanctioning his ministry, his noble and lamented friend might be said to have admitted the Roman Catholic religion on sufferance, as it were; but to no greater extent could he have been said to establish that system in British India. The Portuguese Governor at Goa laid claim on behalf of Portugal to be the head of the Roman Catholic Church in Hindostan. Complaints had been made against his noble and lamented friend, that he interfered with the rights of the Portuguese Government, in allowing any priest to remain in India who had not been appointed by Portuguese authorities. Now there was one fact which, as he had so far trespassed already upon their Lordships' attention, he should beg leave shortly to state. There were churches in India which had been built by individuals on their own ground and with their own money, and what was the cause of complaint against those owners of churches? No more than this, that they refused to give up the keys of their own churches to persons appointed by Portuguese authorities, and admitted clergymen, their own fellow-subjects, to officiate therein; and the persons who did this were imprisoned. The magistrate by whom they were imprisoned was said to be a person of excellent character, who acted under the control of Mr. Blackburne, a gentleman who had been resident in India ever since the year 1815, and who had held many situations, and he believed there was no doubt of his being generally a very benevolent man. That which occurred was probably no fault of his, and had it not been for his presence perhaps greater cruelties might have been inflicted. The noble Lord next proceeded to observe, that in withdrawing his motion he wished their Lordships distinctly to understand that he had not changed his opinions in any respect. His conviction had in no degree been altered, as to the system of which he complained being dangerous to her Majesty's interests in India. His principal reason for withdrawing his motion was, that he understood the Government were going to take the matter up, and notice of a motion had already been given in the other House on the subject. He trusted that the principle of the Roman Catholic Relief Bill of 1829 would now be acted on and carried out, and he hoped he might take the liberty of adding, that if any one person more than another was called on to see that measure well administered, it was the noble Duke opposite. It had been said when he first brought forward this motion that he should regret it. He could see no reason why he should regret it. But it was not for any personal interests whatever that he had brought the subject forward. True it was, that he had withdrawn the motion, with the consent of various persons connected with the order. Having done all he thought it his duty to do, he was relieved from a task which it was not necessary to pursue further. He begged leave to withdraw his motion.

Lord *Fitzgerald* said, the House could not expect that he should follow his noble Friend into the various points which his speech embraced, as the noble Lord had not persevered in his motion. Had he done so, he should have had great difficulty in acceding to its terms, which devolved such large functions upon a committee. But he could not help saying, that a different impression had been made upon his mind by a perusal of the papers connected with the conduct of the collector and magistrate of Madura than upon the noble Lord's. Blame had been imputed to that gentleman which he did not deserve, and which the papers did not bear out. The preservation of the peace of the district had been committed to him, as well as the maintenance in their places of worship of persons who had been in the habit of officiating there. It was not for him to inquire into the bull of the Pope, nor could he be cognizant of the principle of the Roman Catholic church, that a person not in communication with the vicar apostolic was a schismatic. There was another imputation, which seemed by the context of the noble Lord's speech to be made upon Mr. Blackburne—that he permitted torture to be applied to British subjects. This was an imputation which he denied, upon the authority of Mr. Blackburne and upon that of the noble Lord himself, whose testimony in favour of Mr. Blackburne's character showed that he was incapable of such an act. The full information required by Lord Ellenborough had not yet been received in England, and, considering its voluminous character, this was not surprising. The noble Lord might have information, for he had several correspondents in India; but the facts he had stated were not authenticated by any papers before their Lordships. He would state to his noble Friend now what he had assured him in private, that it was the anxious wish of her Majesty's Government to give their attention to this case, as to every case under the Government of her Majesty. He thought the subjects of Great Britain in India had peculiar claims on the care and solicitude of the authorities of England, not because he doubted the impartiality and justice of the Indian Government, but owing to their distance from the seat of the supreme Government, and because their prejudices and feelings were not so represented in this country as if they had been included in the country.

Motion withdrawn.

House adjourned.

HOUSE OF COMMONS,

Tuesday, May 10, 1842.

Minutes.] Bills. *Public.*—1°· Sudbury Disfranchisement.

3° and passed:—Ecclesiastical Residences.

Private.—1° Melburn Inclosure (No. 2).

2° Indemnity; Mutual Marine Insurance (No. 2); Farmers and Gardeners Hailstorm Insurance Company.

Reported.—Forth and Clyde Navigation; Holywell Roads; Yarmouth and Norwich Railway; Warwick and Leamington Union Railway.

3°· and passed:—Ferry-bridge and Borough-bridge Road; Fierville's Naturalization; Warkworth Harbour; Benecke's Naturalization.

Petitions Presented. By Colonel Sibthorp, Mr. Muntz, and Mr. S. Wortley, from Longwood, Linthwaite, and the West Riding of York, for Limiting the Labour of those employed in Factories.—By Mr. Ferrand, from Lees in Lancashire, against the Truck System.—From Bristol, for an Alteration of the method of Levying the Tax on Railroads.—By Mr. Cumming Bruce, and Captain Pechell, from Inverary, Sussex, and other places, against the Importation of Foreign Cattle.—By Mr. Hume, from Ratepayers in the vicinity of London, that Public Walks and Open Grounds may be Established on the South side of the River.—By Mr. Wilson Patten, from Lancashire, against the Turnpike Road Bill.—By Sir H. Douglas, from Liverpool, for an Inquiry into the System of Education at Maynooth College.—By Captain Pechell, from Chichester, and Worthing, for a greater amount of Protection to the Agriculturists, and against the Reduction of the Duty on Seeds.—By Mr. Hawes, from London, against the Reduction of the Duty on Foreign Boots and Shoes.—From Lewes, against the Income-tax being extended to Literary and Scientific Institutions.—By an hon. Member, from Lewes, for the Exemption of places applied to the purposes of Education from the Window-tax.—By an hon. Member, from Newington, for the Abolition of the Toll on the Metropolitan Bridges.—From Wiston, for Alteration of the Poor-law Amendment Act.—From Kingsbridge, Bristol, Launceston, and Surrey, against the Property Tax Bill.—From Bristol, for the Exportation of Foreign Corn in Bond.—From Nithsdale, against Alteration of the Duty on Oats and Barley, and on Animal Food.—From Cork, and Brickfield, against the Fisheries (Ireland) Bill.—From Scarborough, Newark, Bromsgrove, and other places, for Equality of Civil Rights for Roman Catholics.—From Cornholme, for the Repeal of the Corn-laws.—From R. Redfern, for Repeal or Reduction of the Duty on Phosphorus.—From Castlenahan, for Alteration of the present System of Education (Ireland).—From the Isle of Portland, for Protection against the Importation of Stone.—From Londonderry, for Alteration of the Poor Relief (Ireland) Act.—From Scarborough, against Alteration of the Timber Duties.—From Waterford, and Kilokennedy, for Universal Suffrage.—From Waterford, Ballyglass, and Ratoo, for Repeal of the Union (Ireland).—From Waterford, for Abolition of the Ministers' Money (Ireland).—From Cork, for Alteration of the Grand Jury Presentments (Cork).—From Canada, and Montreal, for Remission of Duties on Provisions.—From Timber Dealers of London, against the proposed plan of Admeasurement.

Nottingham Representation.] Mr. *P. Howard* said, that in rising, pursuant to notice, to move that a new writ should issue for the election of a Member to serve in Parliament for the town of Nottingham, in the room of Sir George de Hochepied Larpent, who had accepted the Chiltern Hundreds since his election, he felt it necessary to state that he had no connection with that town or its constituency, nor did he believe he had any personal acquaintance with any of them. He confessed he saw with great alarm that a large and populous manufacturing town in this country was about to be deprived of the benefit of a full and adequate representation in Parliament, as it must be should the writ for a new election continue to be suspended. The people of Nottingham were, it appeared to him, about to be degraded by the deprivation of their rights, without any proof having been offered of the delinquency of the voters to the House. This was the result of the report of a committee of the House upon a petition relating to the last election for Nottingham,—after a very superficial examination, and disclosures which had since been made with reference to that election. It was, however, a result which he felt it his duty to attempt to avert; and as no delinquency had been proved against those whom it was intended to disfranchise to a certain extent, he now moved, with a view to restore them to the full exercise of their rights, that the Speaker should issue a writ for the election of a Member to serve in Parliament for the borough of Nottingham.

Mr. *Roebuck* was very unwilling to interfere between the hon. Mover and the constituency of Nottingham. The hon. Member had said there was no report from the committee upon the Nottingham election petition case substantiating the delinquency of the voters. He thought this was enough to be accounted for from the circumstances which he had explained upon a former occasion—namely, that the question of the corrupt practices which had prevailed at the election had been withdrawn from the consideration of the committee. It had appeared, therefore, advisable to the House that the writ should be suspended until some legislative measure might be applied to remedy the corruption that prevailed in the borough. He certainly thought the House would be of opinion that if there was a case which loudly called for the suspension of a writ it was the present. There was a charge brought against the town, against one of the Members who had accepted the Chiltern Hundreds, and also against the right hon. Gentleman who still retained his seat. The House was about to inquire into these transactions—foul as he asserted them to be; and he asked the House to consider, and consider gravely, and he asked those who led the opinions of the majority of that House to consider gravely, whether, under the circumstances, any harm could arise from the suspension of the writ until the result of that inquiry, and whether, on the other hand, much good might not follow the adoption of that course. It was said it was an abuse of the liberties of the people, if because they had a majority in that House they—not took away—but suspended the issuing of a new writ in any case where a vacancy in the representation occurred. He admitted that; but if the House represented the people, in whom could the jurisdiction in such cases rest better than in the House of Commons, and if they were not the representatives of the people, he thought the sooner they became so the better; but certainly they were not likely to become so by issuing a writ to a town already disgraced by its own proceedings. He hoped the House would not, pending the inquiry, consent to the issuing of the writ.

Mr. *Godson* having on the former evening stated, that he thought no delay ought to take place in the issuing of the writ, would now state, in a few words, why he still held that opinion. The charge made by the hon. and learned Member for Bath was, so far as he understood it, not against the electors, but against the sitting Members—that they had made some corrupt bargain with some third person. Was that an offence committed by the electors of Nottingham? and were they to be punished because a corrupt bargain might be proved to have been made by their representatives? He thought the hon. and learned Member would best assist his own object by moving the immediate issue of the writ, for by the conduct of the parties charged at the new election they would be enabled to judge whether any such corrupt bargain had been entered into; but by opposing the issuing of the writ the hon. and learned Member was himself furnishing an answer to his statements. Let them issue the writ, and in the election that would take place they would have the best possible test as to whether the alleged bargain had been entered into or not. With regard to the sitting Member, to the Gentleman who had ceased to be so, and the third party with whom the bargain was said to have been made, the issuing of the writ would decide the matter, as it would enable the constituency of Nottingham, by returning some other party, to show that the charge was incorrect and was founded upon mere rumour. The question of the validity of the election had been referred to the election committee, and had been reported upon by that tribunal, and it was not for the House, sitting there as a body, to inquire whether the election that had been so questioned and decided upon was valid or not, or whether the Members who had been declared by the committee duly elected had been properly elected or not. At all events they ought not to punish the constituency of Nottingham for offences that had been committed by parties in London supposing that the facts stated by the hon. and learned Member were correct.

Mr. *Ward* said, the hon. and learned Member for Kidderminster was perfectly consistent in the course he was now taking, for it would be difficult to satisfy the hon. and learned Member of the existence of bribery in any case; but looking at the circumstances and the time at which the hon. and learned Member had moved, on a former evening, the issuing of this writ, he was convinced that the hon. and learned Member felt that he had not quite so good a case as in the Southampton one, or he would not have made the motion at one o'clock in the morning. His hon. Friend the Member for Carlisle had taken the more manly course of making the motion openly in the face of day, although he must say, that he did not approve of the course which his hon. Friend had taken. He regretted that this motion had come from those (the Opposition) benches; for if the House of Commons were to try to do that which should be most inconsistent with its character, and to take that course which was best calculated to stultify itself with the country, it could not do so more effectually than by adopting the recommendation of his hon. Friend. That was, that after determining one day that there were grounds, not for an inquiry into the existence of certain compromises, as was said by the hon. and learned Member for Kidderminster, but for an inquiry whether the gross bribery alleged to have been committed at the last Nottingham election, in which the constituency was said to be implicated, had taken place, the House were now to decide that a new writ should issue. The committee which was to be appointed might be instructed to proceed with the Nottingham case first. The facts might be speedily ascertained, for he quite agreed that the writ, if it was to be again issued, ought to be suspended as short a time as possible. But if the facts could be proved, as he thought they could be, no new writ for the borough of Nottingham ought ever again to issue. Until the inquiry had taken place he should give a direct negative to the motion.

Sir *R. Peel* said, that having been asked a question last night with regard to the issuing of the writ for the town of Nottingham, he had ventured to advise that it would be better for some one to give notice of his intention to move it, and the hon. Gentleman the Member for Carlisle had taken the course he had thus ventured to recommend. If they had adopted no proceedings in the case, there could, he thought, be no sufficient justification for the refusal of the writ. But proceedings having taken place—extraordinary and unusual, he admitted—the case was, he thought, altered. The House had decided that an inquiry should be made into certain allegations, and that inquiry, so far as Nottingham was concerned, might be said to be founded upon the fact that after the return of the hon. Baronet had been declared valid by the committee appointed to try the petition, that hon. Member, on the following day, had accepted the Chiltern Hundreds. That fact had been cited as a strong proof of the necessity for inquiry; and the House having determined to institute the inquiry, he thought the issue of the new writ in the first instance would be inconsistent with that determination. At the same time, the suspension of a writ was a matter of grave importance, and they were bound to interpose as short an interval as possible between the retirement of the Member and their decision whether the writ should issue again or not. Upon the whole, however, he was of opinion, although he would admit the subject was not free from doubt, that it would be the least inconsistent course they could adopt to suspend the issuing of the writ for the present, and therefore he should vote for the issuing of the writ being for the present suspended.

Sir *R. Inglis* was one of those who thought that that House or its committees could not much longer continue with that security to decide on questions of election law which public confidence alone could give. He would not attempt to do that indirectly which he had failed the other evening in doing directly. He would not oppose the existing law by consenting to the suspension of the writ. He defied the hon. and learned Member to produce a single precedent in which without the report of an election committee a writ had been suspended. He ventured to assert that there was no instance of the issue of a writ having been suspended, unless upon the report of a committee. In all the instances in which the issue of a writ had been suspended a committee had reported the existence of bribery in the borough, and in these instances large bodies of the electors, and frequently the Members themselves, had been reported to have been implicated. In the present instance, the allegations rested solely on the authority of the hon. and learned Member for Bath, who had assumed and anticipated, perhaps correctly, what would be the result of the inquiry about to be instituted. But the hon. and learned Member had also assumed that the great body of the electors of Nottingham had degraded and disgraced themselves. He did not deny it. Surely it was a different thing not to deny an allegation, and to assume in the absence of all proof that it was the fact. He called upon the hon. and learned Member for Bath, therefore, before he asked the House to oppose the issuing of the writ, to give them something more to go upon than his own unsupported allegation—either a precedent in the parliamentary history of England, or the report of a committee; for, without meaning anything disrespectful to the hon. and learned Member he must say that low as he considered the authority of an election committee, he still considered the report of such a committee as better than the unsupported testimony of any hon. Member. Unless the hon. Member could produce such a precedent of a writ having been suspended on the allegation of an hon. Member, not on the report of a committee, he would not consent to be a party in this way to the bringing of all election petitions under the direct jurisdiction of that House, removing them from that of the tribunal which the law had assigned for them. He would not enter into further discussion on the subject, but content himself with stating his determination to oppose the motion of the hon. Member for Bath.

Mr. *Williams Wynn* felt considerable hesitation and doubt on this subject. He remembered that in a similar case, that of the borough of Stafford, when a right hon. Gentleman stated, that he would move for an inquiry which should show the impropriety of issuing a new writ for that borough (which motion was objected to by him, Mr. Wynn), the House determined to suspend the writ. In the present case the House had admitted that sufficient grounds for an inquiry existed, for they had determined to appoint the committee; it did, therefore, appear to him that they could not consistently with that determination proceed to issue a writ for a new election at the very time they were about to enter into inquiry, the result of which might show that the town in question was not in a fit state to be entrusted with the elective franchise. He agreed with the right hon. Baronet (Sir R. Peel) that the House should act with great circumspection and jealousy when the question was the suspension of a writ, and if the suspension was necessary it should be for the shortest possible period. He thought, therefore, that the House, in order to mark its sense of the necessity of re-issuing the writ at the earliest possible moment, should, as soon as the committee should have been nominated, give them an instruction to proceed in the first instance with the investigation of the Nottingham case—and that the committee should have power to report from time to time, and to report upon that case before they entered into the consideration of any other. This would show on the part of the House their jealousy of exerting a power which it was necessary they should possess, but which should be exercised as seldom as possible—viz., that of suspending the issue of a writ to any place to which the constitution had given representatives.

Mr. *C. Wood* said, that the right hon. Gentleman who had just sat down had expressed the very sentiments on this subject which he felt, and in a manner so much better than he could have done, that it was unnecessary for him to say more upon it. He thought that the objection taken by the hon. Gentleman opposite (Sir R. H. Inglis) was taken a day after the fair. It was true that the motion agreed to last evening was without precedent, but when, under extraordinary circumstances, this extraordinary proceeding had been adopted, the question of issuing or suspending the writ had assumed a character totally different from that which it bore previous to that motion for the committee being agreed to. The hon. Gentleman would find it impossible to discover a case in which, after a committee had been appointed to inquire into the existence of bribery in any borough, the House had not refused to issue a new writ until the inquiry so directed to be instituted had terminated. He apprehended, therefore, that according to all former precedent, and certainly according to reason and common sense, it would be preposterous and absurd to issue a writ to a place which was under an accusation of bribery, that accusation being so far sanctioned by the House that a committee had been appointed to inquire into its truth.

Colonel *Sibthorp* supported the motion, and hoped the hon. Baronet the Member for Oxford University would take the sense of the House upon the opinion he had so well laid down. It was a most dangerous and unprecedented course thus to disfranchise a borough on the unsupported allegation of an hon. Member. If there were an inquiry into bribery and corruption, it ought to embrace every case that was known to have occurred. The charges in this case of Nottingham were founded upon rumours. He had heard rumours too. It had been said, he could not say with what truth, that the noble Lord the Member for the city of London

—he did not know for how many places besides—had been returned by nine dead men. He had heard a great deal too on the subject of bribery at St. Alban's and other places. He hoped the hon. Member for Carlisle would divide upon his motion.

Mr. *James* hoped, that his hon. Friend (Mr. P. Howard) would not press his motion to a division. It would be more satisfactory to suspend the writ while the inquiry as to bribery was still pending.

Mr. *P. Howard* deprecated the refusal to issue the writ for a large commercial town like Nottingham, upon the eve of discussing a question of great commercial importance—namely, the tariff. He would not, however, persevere against what he considered the feeling of the majority of the House; but he was anxious to enter his solemn protest against suspending the liberties of the people without the clearest proof of delinquency. He thought the House might, without stultifying itself, adopt the proposition of the right hon. Gentleman the Member for Montgomery, that the committee should be instructed to inquire and report upon the Nottingham case before proceeding with the others.

Mr. *F. French* believed, that the right hon. Baronet had acted upon an erroneous supposition in refusing to agree to the issuing of the writ. He understood the pledge to have been not to issue the writ until the motion of the hon. and learned Member for Bath should have been decided. The accusation was made against parties who were not electors of Nottingham; it would be unjust, therefore, to punish the electors by suspending the writ. He had been informed, and he believed it was true, that the hon. Baronet, the late Member, had retired on account of ill-health. He thought it would be most unjust, unconstitutional, and dangerous in the extreme to suspend the writ under the circumstances of the case.

Sir *R. Peel* said, he did not know what reports the hon. Gentleman (Mr. F. French) might have heard, but all he had said on Friday was, that he could not consent to the issuing of a writ until the sense of the House had been taken as to the appointment of a committee. He had also suggested the propriety of giving notice. He knew nothing of the circumstances, and condemned neither the right hon. Baronet opposite (Sir J. C. Hobhouse), nor the hon. Baronet (Sir G. Larpent), who had retired.

Mr. *F. French*: The right hon. Baronet said on Friday that he would resist the issuing of the writ. At all events, the right hon. Baronet must know that, from the position which he occupied, his declaration was tantamount to a pledge.

Mr. *Roebuck* said, that the hon. Gentleman seemed to suppose that some agreement had taken place between him and the right hon. Baronet and himself on Friday. He denied, however, that such was the case.

Mr. *P. Howard* would withdraw his motion, reserving to himself the power of renewing it on a future opportunity.

Motion withdrawn.

PRIVILEGE — MAYNOOTH COLLEGE.] Mr. *Sheil* begged leave to put a question to the hon. Baronet. the Member fo Liverpool, in reference to a matter of privilege, with regard to a petition which he had presented to the House in the course of the evening signed by a great number of persons, inhabitants of Liverpool, and which prayed that an inquiry might be instituted into the system of education at the College of Maynooth. That petition was worded in very strong language—so strong indeed, that he was induced to hope that the hon. Baronet had not read the petition before he presented it. Upon looking at the signatures attached to it, he found a long series of names, many of which, however, were evidently written by the same hand. It was a gross breach of the privileges of that House to append names to a petition written in any hand but those of the petitioners; and he begged to ask whether the hon. Baronet had read the petition before he had presented it—whether he was acquainted with those names, and whether he was aware that many of them were written by the same hand.

Sir *H. Douglas* stated, that the petition to which allusion had been made had been put into his hands on coming into the House, and that he had not had time to scrutinise the signatures attached to it. There it was as he had received it, and he would leave the right hon. Gentleman to examine it, and to look over the signatures appended to it himself. His well-known abilities and penetration, he doubted not, rendered him a much more fit person to examine it, than he was. He knew there was a very strong feeling upon this subject in Liverpool, and he had every reason to believe that the petition had been prepared in a proper manner.

Mr. *Sheil* gave notice, that he should, to-morrow move that the petition be referred to the committee of privileges, that it might be reported to the House whether many of the names attached to the petition did not appear to be in the same handwriting, and whether the petition was couched in fit and proper terms.

DISFRANCHISEMENT OF SUDBURY.] Mr. *Redington* rose to move for leave to bring in a bill to disfranchise the borough of Sudbury. In bringing this question before the House it was hardly necessary for him to do more than to call its attention to the general course of proceeding in this borough, in order to induce a belief that the bill of which he had given notice was necessary. He begged the House, however, to consider that he appeared there, not as the advocate of any speculative measure of legislation, but as the mouthpiece of the committee of which he had been chairman, and which had recommended for the consideration of the House a measure for the disfranchisement of the borough of Sudbury. He was satisfied that the select committee, in coming to the resolution which had been reported to the House, and which now appeared on the votes, had been well aware of the importance of the step which they had taken—that the franchise was most important to all Englishmen, and that it was a right which ought not to be taken away upon light or insufficient grounds. The House, he was aware, had always regarded it as of the most important character; but at the same time, it had always looked to see that its exercise was not abused by the prostitution of its usefulness to the purposes of its possessors. Acting on that view Parliament had always guarded its possessions most strictly, but at the same time had always visited with the severest displeasure any acts which had come to its knowledge of bribery or corruption. He did not think that in this case the House would be inclined to depart from that course, or that it would be indisposed upon this occasion to visit the borough of Sudbury with its severest displeasure. There was this peculiarity in the report of the Sudbury committee. It was true that even after election committees had recommended the disfranchisement of a borough the House had always been unwilling to take away the franchise, without having first ascertained all the facts in the fullest manner, and the report of the election committee had been referred to a select committee. Formerly it had been the practice of the House to receive evidence at the Bar, but that course was found to be inconvenient, and the course had been adopted of referring the petition back to a select committee. Not many years ago a measure had been brought in by the noble Lord, the Member for the city of London, for the repression of bribery at elections. In the debate on that bill the right hon. Baronet the Member for Tamworth had said, that what the House would require in every instance of bribery before proceeding to a measure of disfranchisement, would be to be well satisfied of the existence of the fact, and that the evidence required would be such as would not only be satisfactory to this House, but to the other House of Parliament also. The right hon. Baronet had also stated that, in his opinion, the committee for the conducting of any investigation on such questions, ought to be nominated by the Speaker; and that a bill, founded upon the report of the committee, should be sent up to the other House of Parliament. In the case of the borough of Sudbury, all these conditions had been almost literally complied with. The committee had been nominated under the provisions of the right hon. Baronet's own measure for the trial of controverted elections. So that it might be said to have been nominated by the Speaker, who appointed the committee of selection by which the election committee was chosen. The report of the committee therefore was the first report of the kind under the right hon. Baronet's act, and was of that nature that it did not require to be referred to a select committee. He would now proceed briefly to narrate to the House the circumstances which had occurred at the last election for Sudbury. The nomination took place on a Monday, and the election on the Tuesday following. Up to 6 o'clock on the preceding Sunday night neither of the candidates who were returned had made his appearance in the borough. One arrived on the Sunday evening, and the other on the Monday morning, and within thirty-six hours after their arrival they were both returned as the Members for Sudbury. In some cases of bribery certain corrupt individuals were employed, and they endeavoured to tempt others into corruption; in Sudbury there was no necessity to have recourse to such measures. The votes were bought openly in the market. There were the hustings and two public-houses, which were engaged by the parties; and from the Black Boy to the hustings, from the hustings to the Swan could be easily traced the stream of voters, receiving an earnest at the first named place before they gave their votes, and at the last named house calling for and receiving the wages of their corruption. It was bribery of the most open and notorious character—the most extensive and general system of bribery which could be supposed to exist. Having alluded to this general nature of the case, he should now simply proceed to the evidence for the purpose of showing how many of the voters of Sudbury appeared to have acted in the manner he had pointed out. The first witness to whose evidence he should allude was a constable of Sudbury; and he stated what had occurred on the morning of the polling, but it appeared from his evidence that the virtue of Sudbury had been overcome on the night before. He was asked,

> "Do you know the Black Boy inn? Yes.—That, we are told, is on the market-hill? Yes, it is.—Did you observe anything with respect to the Black Boy inn on that morning? I saw a number of people go in and out there.—Did you see persons come from the Black Boy to the hustings? Yes, I did.—Did they enter the polling compartments and poll? Yes, soon after they came out.—Were you near enough to hear for whom they gave their voices? No, not all of them.—I am speaking of persons who came from the Black Boy; did you hear the whole or a portion of those give their votes when they came to the poll? Yes, I heard numbers of them give their votes. —For whom did those persons who came from the Black Boy vote, as far as came within your own hearing and observation? For Mr. Dyce Sombre and Mr. Villiers.—Having given their votes for Mr. Dyce Sombre and Mr. Villiers, do you no know where they went to? After they came out of the pound, I saw them go towards the Swan.—By the pound you mean the polling compartment? Yes.—What number of persons can you speak to? I do not ask you to ten or a dozen, but in round numbers; what number of persons can you speak to to persons that went into the Black Boy, and then came from the Black Boy to the pound, and then went on the Swan? I saw a great many, certainly; I saw some scores of them."

He was subsequently asked generally as to the number of voters whom he had thus observed, and he fixed the number at about 200. What occurred at the Black Boy? There a room was occupied by one of the candidates, and it was sworn that during the whole day the crush of voters upon the stairs was so great, that they were nearly being broken down; and when the chambermaid of the House asked one of the voters what he was doing there, he answered that he was going for his money. Another witness said that when he went to the inn he was asked his name and a list having been referred to, he got two sovereigns. It was sworn, with respect to the Swan Inn, that the money was handed out to the electors at that place by a person who had not yet been discovered, because nothing more was seen of him than his hands. The same crowd of people surrounded that hotel; they got tickets, and when they had got them, they were told to go to a certain place, and that there they would get money for them. These 200 voters, then were seen to go to one house, and to go into a room there; they were seen to go to the hustings, and heard to vote, and from thence again they were watched to the Swan; and he thought, that these facts being proved, there could be no doubt that the men who went to vote went also to the Swan for the purpose of receiving their money. William Digby and other witnesses spoke to these facts, and proved that the voters had gone to the hotel to get tickets, and that when one of them had asked what he was to do with the ticket, he was referred to the window. James Bacon spoke to the same effect, and another witness said, that he was told of what was going on in the market—that it was an understood thing. And now, he thought, that he had shown distinctly that 200 voters had been bribed according to a gross and systematic course of proceeding at the last election. It was utterly impossible, that two candidates could have arrived on the eve of the election, and have found men so perfectly organised as the voters of Sudbury were, ready to go up to the poll next morning in batches of eight and ten, the leaders returning to take up other bodies of the same kind. Did the House suppose that this was a recent occurrence in the borough of Sudbury, or one of an unusual character? At the election of 1780, the grossest bribery was alleged; but the bribery of that period was carried on in the darkness of night, while at present it was not even so concealed. He would also ask the House to look at the evidence given before the commissioners appointed to inquire into the condition of the hand-loom weavers of Sudbury, in 1837, in which evidence was given at a time, and under circumstances more favourable for ascertaining the state of the borough than the inquiry before an election committee. Dr. Mitchell, in his report, said—

"This is a borough to which it is notorious that, for a long period of time, gentlemen of property have brought their money for the purpose of presenting to the poverty of the voters temptations which, it was calculated, they would be unable to withstand; and thereby they would be induced to give their suffrages. The injury thus inflicted on the pecuniary condition, industry, and general morals of the weavers, appears to have been very great. Mr. John Crisp Gooday, governor of court of guardians, said, 'My opinion is, that the contested elections have done more to injure the morals of the working people in Sudbury, than all the preaching or precepts of all the ministers of the Gospel have done good.' How is that effect produced? One thing alone is sufficient—the bribery oath. Men openly receive money, and yet go up, and deliberately take the oath and vote. Some seek subterfuges, as, omitting the word 'not;' 'kissing the thumb;' while others seek no such solace, but deliberately perjure themselves."

Again:—

'A general system of demoralization is produced by the vices and crimes consequent upon the drunkenness, debauchery, and bribery at the elections in this borough. Large sums I (the commissioner) presume are given at elections?—At the general election in 1835, the bribery was much more extensive than at any preceding or subsequent elections. I had the means of making an accurate calculation of the expense attending that election by all parties, and the result of my knowledge is, that the sums of money expended, if equally divided among all the voters on the register, would have come to from 30*l.* to 35*l.* a man. Of course, many respectable men were above taking money, and twenty-five persons did not vote; but if these voters had no money, the others had so much the more, so that the whole would have come to nearly, if not quite 35*l.* a head, as already stated. Is it not a most awful crime in the candidates and their committees, first, to offer miserable and poor men sums which their virtue is unable to resist, and to allow the bribery oath to be tendered to them, knowing, as they do, that the voters on both sides must take it, and that their perjury is certain? I have known nearly 400 voters, out of about 600, on the register, deliberately perjure themselves. Happily, however, at the last two elections, which were for one Member, in consequence of vacancies since the last general election, both sides have agreed not to allow the bribery oath to be taken. Any two voters may demand that the bribery oath be administered. Are the voters of Sudbury friends to the system of voting by ballot? Not at all. When the brother of one of the candidates, at the general election in January, 1835, addressed the electors at the Bull Inn, he said to them in his speech, that his brother was a determined supporter of the vote by ballot, in order to put an end to bribery and corruption. There was an immediate cry all over the room, 'No ballot, no ballot!' They saw at once the effect of the system. It was ill-judged to seek to gain the favour of the men of Sudbury by holding forth such a sentiment as to the ballot."

Again:—

"The party spirit (existing there) is not in reference to the general politics of the country; it is a contest of parties amongst themselves, as to which shall make the most money at elections."

In respect to the general election of 1837, it was said:—

"This was a very poor election; no money expended on either side; but as the men had, from the commencement of the illness of the King, neglected their work, in expectation of large bribes, the result of the election involved them and their families in great misery and distress. Such is a picture of the elections of Sudbury."

He wanted to know, therefore, whether any man could see that this system of gross bribery had been carried on without fully agreeing that some step was necessary to be taken to put a stop to practices so dangerous and so injurious to the reputation of Parliament? What was the evidence which had been given with regard to the general course of the elections for this borough? Samuel Shelley was asked,—

"Have you not received money for your vote at more elections than one? I am not able to tell you.—Have you or have you not? I cannot tell, for I forget.—Upon your oath, do you mean to swear that you forget? I do forget.—Will you say that you have not received money for your vote at more than two previous elections? I forget; I have not a very good memory.—Your memory only carries you back to the last election? I never study things to keep them too long in my memory. — Will you swear that you have not received money for your vote at more than three elections? I cannot tell.—Will you swear that you have not at four? I cannot tell you.—At five? I am not able to say.—Can you point out one single election at which you will swear that you have not received money for your vote? Yes.—What election was that? There was an election, but I cannot say when."

That was the evidence of one person. The next witness, Francis Making, was asked—

"How long have you been a voter at Sudbury? I cannot tell you hardly.—You have seen a good many elections there? Yes.—And voted at them? Yes.—Which side have you generally upheld? The blue side I have generally voted for.—Sometimes for the other party? Not often.—But sometimes? Yes.—According to which paid the most, I suppose? Yes.—Then you have been paid? Yes, I have.—At every election? Not every one, I think? I have lost money, by one.—Which was it? I lost 30*s.* by it? Which election was that? I forget now.—You have always voted for the party that paid highest, have you? Yes.—Have you taken the bribery oath at each election? Yes, I have."

The witness next called was a man who had really given his evidence in a very straightforward manner. He appeared to have been brought up according to the system which prevailed, and that he, being a young hand, and now giving his vote for the first time, had got four sovereigns for it. Thomas Brown was also examined, and he stated that he had been a voter for thirty years. He was asked:—

"You always got paid for your vote? No.—Most times? Sometimes I did.—You had the oath put to you at the elections, whether you were bribed or not? That was at the election; if I did get paid, it was after the election.—So that you took the oath at the election, and you got paid afterwards? Sometimes.—What was it that you used to get after the election? Months after; perhaps half a year.—How much money? I used to have two guineas; I used to have two guineas from Sir John Hippisley."

Charles King, another witness, was thus interrogated:—

"You have voted six or seven times on former occasions at Sudbury; did you get nothing upon those occasions? Travelling expences.—You did not get 6*l.*? No.—You did not get 3*l.*? No.—Two? I got 6*l.* for travelling expenses; that was a regular thing.—That was the regular payment at Sudbury? Yes, I believe it was allowed by Lords and Commons.—It was the custom at Sudbury to get 6*l.* a head at the elections? More, too, if they could get it at that time."

He thought that it was high time for the House to interfere to check these proceedings, and to visit their originators with that punishment which they so well deserved. As regarded the last election, there was an instance of an honourable exception to the corruptions to which he had alluded. He referred to Nicholas Cross, who had rejected a sum of 75*l.* for his vote. But what did he say? He was asked:—

"Have you had no conversation since the election occurred about the quantity of money that was given away? There were jokes about it.—Have you not often heard from voters that there was a great deal of money given at the election? Yes, I have heard a good many things about that matter, but I never troubled myself about anything of the sort.—Have you the slightest doubt that a great deal of money was spent at the election in the purchase of votes? It appears to me as if they made a regular market of it.—Do not you believe that at least 100 persons took money at the election? I cannot say anything about that.—Is not that your belief? It is my belief.—And more than 100? And more than that.—Do you believe that 200 persons took money at the election? I cannot say that.—You think upwards of 100 persons got money at the election? Yes, I do believe it.—In the form of bribes? I think some money was given."

Having now stated what had occurred at the last election, and having, he thought, satisfactorily shown, that at that election, gross and systematic bribery had been carried on, he begged to remind the House, that the committee before whom this matter had been investigated was a committee appointed in the very manner in which the right hon. Baronet opposite had in 1834 suggested such committees should be nominated. It was a committee which had been chosen not without the utmost care, and the report of which, therefore, ought to be esteemed of the highest value. The report was unanimous—there was not the least difference of opinion—the facts represented to them could not be resisted. He would beg to call the attention of the House to this passage in the speech of the right hon. Baronet upon the motion of the noble Lord, the Member for London. He said:—

"I wish to aid the noble Lord in his object, which, I apprehend, is, first, to have satisfactory evidence as to the existence of general and systematic bribery in any place, and then with all possible despatch to make an example of bribery in that place."

That was the exact course which he now asked the House to adopt, and which he was satisfied the country would look upon as the most desirable to be taken. In previous cases, various modes of dealing with the forfeited franchise, had been suggested to the House, but he thought that here no other course of proceeding could be taken except that which he now proposed. He was satisfied that if the measure which he proposed was not adopted, all that hon. Members had been saying—all that they had been doing during the last few days, would be viewed with ridicule by the country. If the House did not now take some course which was firm and decisive, he believed that all their resolutions against bribery would be thought to have been founded merely in idleness and hypocrisy. If they refused to support the report of their committee, their professed horror of bribery would be looked upon as a mere mockery, and they would be viewed as the silent and secret abettors of those practices which in public they professed to disavow.

Colonel *Rushbrooke* said, in the present unrepresented state of the borough of Sudbury, he felt it his duty, as the representative of that division of the county in which that unfortunate borough was situated, to become his advocate. The delinquency complained of had been proved only against one class of voters—the freemen; a class which was strenuously and successfully supported by himself and the majority of the House on a former occasion, and he could now only lament that they had made an improper use of the franchise. The body of freemen would in a short time be extinct, and no longer a stigma on the other part of the constituency of the borough. The greater number of the voters for that borough were most respectable men, and above all suspicion. If the House should sanction the introduction of the bill of the hon. Member, he trusted that a calm consideration would be given to the subject, and that it would not be forgotten that the sins complained of belonged to one class of the electors only, and that the innocent would not be punished along with the guilty.

Bill brought in and read a first time.

Leave given.

Customs Acts — The Tariff.] Sir *R. Peel* then rose: I was in hopes that I should have been enabled to make any statement I have to offer on the subject of the proposed commercial tariff, after the House had resolved itself into a committee on the Customs' Duties' Acts. It is quite clear that it will be for general convenience that my statement should precede any extended discussion of the subject; and as the noble Lord and other hon. Members have given notice of motions which I apprehend they intend to bring on before the House resolves itself into the committee, I have no option but to make my statement on the motion for reading the Order of the Day. At the same time it is not my wish to anticipate, in what I have to say, the debates which will probably take place upon the motions which individual Members have inserted in the votes. It seems to me that it will be better, as far as I can do so consistently with my duty, to avoid entering into the consideration of particular points. I rejoice that we have now arrived at that period when we can enter, as I trust we shall, seriously and continuously upon the discussion of the tariff. I am aware that much public inconvenience has necessarily resulted from the delay that has unavoidably occurred. At whatever period this subject was introduced, it was absolutely necessary that there should be a considerable interval between the first proposition of the plan submitted by Government, and the consideration of it by the House in its perfected form. At the same time, it will not be understood that I am complaining of delay, or that impediments have been thrown in the way of discussion; such a delay, I say, was inevitable from the nature of the question, and I am sure all who hear me will feel that it was the duty of Government to avoid communications beforehand with parties personally interested. It would have been impossible in those communications to have avoided indicating something of the intentions of Ministers, and thus private parties with whom the communications had been held would have had an advantage over their competitors. We had, therefore, no alternative but to make our proposition, in the first instance, without the advantage of private information; and after it was made, parties had a fair right to be heard in respect of the contemplated important changes in our commercial system affecting their pecuniary interests. I trust, therefore, that there has been some compensation for the evil of delay necessarily belonging to a proposal of this nature; and that an opportunity has been afforded to those whose partial and individual interests are affected maturely to consider the whole scope of the plan of her Majesty's Government, and fairly to consider whether they will not find ample compensation for the loss they may sustain in their special occupations and private interests, in the general advantages which we may hope will arise out of the measure in contemplation. The House has before it, in the papers recently printed, the existing rates of duty on the import of foreign articles; it has also before it the amount collected under those existing rates; it has before it the original proposition submitted by her Majesty's Government for the amendment of the commercial tariff of the empire; and, lastly, it has before it the corrected proposal, and consequently an opportunity of comparing the one with the other. A judgment may thus be formed of the intended modifications, and a satisfactory conclusion may be arrived at as to the temper and spirit in which this great arrangement has been undertaken by her Majesty's servants. I think it will and must be evident to all who have compared our first proposal with our last, that no undue influences have been allowed to operate upon the minds of Ministers. In the course of the discussions I was repeatedly assured that I should not be able to resist the influence of interested parties; I appeal to the first proposal of Government and to the last, and I leave it to any impartial man to determine whether any changes have been introduced from unworthy and improper motives. I think it will be seen that, whether the parties were powerful or weak, if they had reason on their side in favour of a modification, that modification has been made. If powerful parties have suggested alterations without reason, it will be manifest that these alterations have been resisted; if weak and unprotected parties submitted their claims to a farther consideration of some portion of the original proposition, those parties, though weak and unprotected, have had a fair hearing, and if favour has been shown to any one it is to those who are weak and unprotected. I shall avoid as far as I can any reference to specific subjects to be separately brought under the consideration of the House, and I will state what is the general scope and purport of the commercial arrangement Ministers have found themselves called upon to recommend. The general object of it is to simplify the existing law. It cannot be denied that the existing law is in many respects obscure and inconsistent, and that there are duties applicable to particular articles which are not reconcileable with principle. In the year 1787 Mr. Pitt consolidated the custom laws, and during the war, according to the degree of financial pressure, it was the practice occasionally to raise the customs' duties indiscriminately, with a view to revenue merely, and without considering the general results it might produce. I think that a great part of the anomalies and inconsistencies of our present tariff arises from that practice of an indiscriminate per centage being applied to various articles. In 1825 the customs laws again came under the consideration of Parliament, and, at the instance of Mr. Huskisson, many important changes were made. I may here remark that I wish to claim for the present Government no undue share of credit for the proposal they have made, and I am bound to admit that the last occasion on which the attention of the House was called to the subject was when the committee on importations was appointed, in the year 1839. I do not say that if time had permitted the investigation might not have been more general and the result more complete, but I never did at the time, and I do not now, wish to depreciate the labours of that committee, or to deny that, in directing the attention of the public to the state of the tariff and importation duties, it established a claim to public gratitude. We have, therefore, applied ourselves to the imperfections in the tariff, in order to make it clear and intelligible, and as far as possible consistent, which of itself, without reference to the amount of duty, is certainly a great public object. Speaking generally, we have also sought to remove all prohibitions—all absolute prohibitions—upon the import of foreign articles, and we have endeavoured to reduce duties which are so high as to be prohibitory to such a scale as may admit of fair competition with domestic produce. In cases where that principle has been departed from, and prohibitory duties maintained, there we justify our departure from the rule by the special circumstances of the case; but the general rule has been to abolish prohibitions and to reduce prohibitory duties within the range of fair competition. With respect to raw materials which constitute the elements of our manufactures, our object, speaking generally, has been to reduce the duties on them to almost a nominal amount. In half-manufactured articles, which enter almost as much as the raw material into our domestic manufacture, we have reduced the duty to a moderate amount; and with regard to completely manufactured articles, our design has been to remove prohibition, and to reduce prohibitory duties so that the manufactures of foreign countries may enter into a fair competition with our own. I still entertain that confident belief and expectation which I expressed on first intimating the intentions of Government as to this tariff, that the general result of it will be, if adopted by the House, materially to diminish the charge of living in this country. If you say to me that we do not make sufficient reductions on particular commodities, which are material items in the expenditure of a private family, I am quite ready to admit it, as far as relates to individual articles; but I speak of the general effect of the tariff as proposed by her Majesty's Government. If there be any truth in the principles either of trade or of arithmetic, I contend that its inevitable effect must be to give great advantages to all classes of consumers, and to make a considerable reduction in the present cost of living in this country, as compared with the cost of living in other countries. Taking the reductions on raw materials, on half-manufactured goods, and on manufactured goods, I am persuaded that the general result will be to make a considerable saving in the expenses of every family in the kingdom. I am quite aware that in this case, and in all such cases, it is impossible to make any great reduction on articles of general demand without affecting some special and particular trade. If I am told that we have dealt with too many articles, and that it would have been better to have taken only a few, my answer is that there is this important advantage in dealing generally with the whole, that while we do in some quarters a partial injury, even there by our other reductions we make a corresponding compensation. I will now take the liberty of calling the attention of the House to some of the reductions proposed by her Majesty's Government, and I will first advert to an article regarding which a great benefit will, I apprehend, be conferred upon agriculture, I allude to clover-seed. In the breeding and feeding of cattle, upon the improved system of agriculture, this is a most important item; and at the present duty of 20*s*. per cwt., such has been the demand for foreign clover-seed, that the amount of revenue produced by it in 1840 was no less than 141,000*l*. Clover-seed is produced in some of the southern counties of England; but Scotland and some of our northern counties, are entirely dependent upon an extrinsic, if not a foreign supply. We propose to reduce the duty from 20*s*. to 10*s*. per cwt.—that is to say 100 per cent.; and I deeply regret that in making this reduction, some injury will be inflicted on those districts which have hitherto partially supplied the demand for clover-seed, and, indeed, in consequence of the high duty, have had a comparative monopoly. Our regret has been overruled by the necessity of the case; which is proved by the large importation of clover-seed in 1840, yielding 141,000*l*., and by lowering the duty we propose to facilitate the importation of the article which will be a great advantage to the agriculturists of the north. The same reasoning will apply to grass-seeds; there may be in some parts of the kingdom a partial failure, and we may be able to procure a supply of a better article from the continent, and is it not to the manifest advantage of agriculture to promote the introduction of what is in some sort to be looked upon in the light of a raw material? We have, therefore, reduced the duty from 20*s*. per cwt. to 5*s*. per cwt. on grass-seeds. Take, again, onions. [*Laughter*]. Gentlemen may laugh; but let me tell them that the onion is a vegetable of the greatest importance to the vast body of the community; and if there should be a partial failure of this seed, it is most desirable that we should have the means of procuring it from the continent. The duty at present is 1*s*. 6*d*. per lb., an amount that encourages smuggling; and we recommend so considerable a reduction, that no doubt particular and interested parties have been greatly but unnecessarily alarmed. We propose to reduce the duty of 1*s*. 6*d*. per lb. to 1*l*. per cwt. Then as to linseed, hemp-seed, and other oil seeds, the change of duty will, of course, be of advantage to the crushers in this country, and enable them to compete with the foreigner. On these seeds, we reduce the duty from one shilling to one penny per quarter. The article is one of great importance; and the same character may be given to that to which I shall next advert: I mean foreign woods for furniture and for dyeing. The duty on foreign woods has ranged from 50 to 100 per cent. on the value of the article, and to the high amount is, I believe, to be attributed the recent great and injurious change in this kingdom in respect to cabinet-making. There is no country in the world where greater skill might be shown in the manufacture of furniture than in this. I cannot conceive a country possessing greater advantages of consummate skill and industry for supplying other countries; but what has been the consequence of the high duty? I know that there have been cases where mahogany has been imported into England, exported to the continent, and reimported into England in the shape of furniture on the payment of a 20 per cent. duty. This may seem extraordinary, but the fact is so, and great advantages must be the result of lowering the duty on woods, and I do not in the least despair by the reduction of that duty, and the encouragement of competition among the skilful mechanics of this country, to bring about such improvements in the manufacture of furniture, that instead of importing it as at present from France and Germany, we shall manufacture largely for export, and that by our own excellent mechanics, will outstrip all their foreign competitors. It is impossible to deny that of late years, whether from this cause alone or others, conjointly, the manufacture of furniture has been very much transferred from this country to France and Germany. So much, then, for the reduction of duty on wood for the purpose of ornamental furniture. By the by, I must not overlook another very important consideration with reference to this point—I mean the great advantage that will arise generally from the reduction of the duty on mahogany. It has of late years been discovered that this article, which hitherto has been exclusively devoted to furniture and ornamental purposes, might most advantageously be applied to purposes of ship-building. It has peculiar properties for resisting the dry rot, and if the price were reduced, it might most extensively be employed in some parts of ships. If I did not wish to avoid entering too much into detail, I could give examples of the effects that will be produced by the very material reductions proposed in the duties upon dye-woods; but that must be obvious to every man at all conversant with the trade of the country. There is no part of the tariff in which we make more important alterations than in that which relates to the reduction of the duty on ores. Whether I speak of iron, lead, or copper, in my opinion great advantage to the commerce and manufactures of this country will result from permitting the entry of these important articles at much more diminished rates of duty than at present. Let me take the case of copper. At present you cannot import and smelt foreign copper for internal use. You have greater advantages than any other country possesses with respect to coal—you have it at a cheaper rate; and you can apply that coal with great advantage to the smelting of foreign copper; but when it is smelted you cannot make use of it for the purpose of home manufacture, and you send it to France and Belgium to be rolled and manufactured. What is the consequence? Why, that those foreign countries can come into the markets of Europe, undersell you in copper smelted by your coal, in bolts for the fastening and copper for the sheathing of ships, and in a variety of other articles made of brass and copper, giving in many instances to the foreign manufacturer the advantage of 10*l.* per ton in respect to copper smelted with your coal. In France and Belgium, I believe I state the fact, the price of smelted copper has been less by 10*l.* per ton than in this country: and as I said before ships can be fastened and coppered on the continent at a much cheaper rate than in this country. As a decisive proof of the benefit to be derived from reducing the duty on manufactured copper, I may mention that the effect of the tariff has already been, in France and Belgium to reduce the price of copper. In confirmation, I may refer to something that passed in this country last winter. A foreign power was desirous of entering into a contract for building several steam-ships, an application was made to parties in this country; the only objection to entering into the contract was the expense of copper fastening, and coppering the vessels, as well as of the copper boilers. A drawback on the amount of copper so to be employed was asked for, or that it should be imported duty free. Of course it was impossible to concede this point, and it was stated that the contract must on this account be transferred to Rotterdam, or to some port of Belgium. I believe that that course was not taken, and that the acceptance and fulfilment of the contract is suspended until the decision of this House is known. There is every ground for thinking that the expected reduction in the price of copper will enable the parties in this contract, to execute the contract which otherwise must be transferred to some ports of the continent. From copper, I proceed to another important element of our manufactures — I mean oils and extracts. The domestic manufacture of this country has of late years been exposed to comparative disadvantage, in consequence of the price of oils, and of these no one is more valuable for the purpose than spermaceti oil. The present duty on spermaceti oil, train oil, and blubber, is 26*l.* 12*s.* per ton, and we propose to reduce the duty on train oil and blubber to 6*l.* per ton, and upon spermaceti oil to 15*l*, per ton. Thus we shall introduce the produce of the American fisheries into competition with the produce of our own fisheries, and prevent the price of oil in this country from reaching an extraordinary or extravagant amount. I hope, Sir, that in stating these details, I am not needlessly detaining the House; I want to establish by proof a position, of the truth of which I feel confident, that the general result of this tariff, if adopted by the House, will be to give new life, and activity to commerce, and to make a reduction in those charges which are now incurred by a residence in this country. A very short time since the price of spermaceti oil in this country was from 60*l.* to 70*l.* per ton; but lately, I think in 1839 or 1840, it had risen to 95*l.*, and even to 111*l.* per ton. and the effect was a great diminution of the consumption. The manufacturer who required that oil had no alternative but to consume olive or other vegetable oils, which did not answer his purpose so well, or to pay an extravagant price for spermaceti oil, I mean extravagant as compared to the price of that oil in the United States. There are no oils that can be substituted for it without disadvantage; vegetable oils have not the quality that is valuable in spermaceti oil, and yet we have had to carry on a formidable rivalry with the United States in some branches of manufacture with the disadvantage of having to pay 8*s.* or 8*s.* 6*d.* per gallon for oil which in America is sold for 3*s.* 9*d.* or 4*s.* per gallon—a difference of about 100 per cent. The reduction of duty we propose, under this head, while it will prove highly beneficial to manufactures, will not injuriously affect the capital employed in that important branch of our commerce, the sperm fishery. At the same time, it is important to take a security, that when sperm oil bears the price it has reached of late years, there should be some competition with the produce of other countries, which will reduce the price within moderate limits; and I do not believe it possible, when the price is reasonable in this country, that the Americans can inflict any injury on the British fisheries. From oils I pass to dye-stuffs and drugs, and this point is materially connected with the adulteration of medicines. In respect to dye-stuffs, without entering into minute details, I may state generally that the present amount of duty on those articles imported is so great as to lead to extensive smuggling. Very recently, a person who had smuggled a quantity of *nux vomica* compounded with the Custom-house, and paid 1,000*l.* to escape the rigour of the law. The effect of imposing an excessive duty has been in this, as in other cases, to lead to an illicit importation of the article. On the proposed change in the duty on timber, I believe, we are to have a separate discussion—a difference of opinion, I know, has been expressed on the subject of the proposed reduction of the duty on that article. For my part, I must say, that the more I consider the subject, the more firmly I hold the opinion that we are about to confer an important benefit on the consumer by the relinquishment of a certain amount—a very great amount, I admit, of revenue. Here I may be allowed to support my views by a *dictum* of Mr. Deacon Hume, who observed,

> "We have abundance of untaxed coal; abundance of untaxed iron; we only want abundance of untaxed wood, in order to be provided cheaply with the three great primary raw materials of employment and industry."

That was the opinion, shortly expressed, of Mr. Deacon Hume, with respect to the great advantages of a reduction of duty on this article. I am afraid we cannot confer on the consumer the benefit of untaxed wood; I wish we could; but a total reduction of duty would be, I think, unwise. To admit an unlimited competition with the colonies in an article of so much importance to them would, I think, be a course open to grave objection. But the arrangement ultimately to import colonial timber free from duty will, in my opinion, keep in check any demand which might be made upon you, in the event of your being disposed to afford additional facilities for the importation of Baltic timber. I am aware that it is a grave objection to my plan—that it will occasion a loss to the revenue of 600,000*l.*; but I do not know any article in which a reduction of price will be more useful. These are the principle raw materials or elements of manufactures in respect to which great reductions have been made; and I have stated some instances of the benefit which will, I think, arise to trade from the plan I have brought forward. I now approach the consideration of a reduction of duty on articles of foreign manufacture. We propose, speaking generally, to apply an amount of duty not exceeding 20 per cent to such articles. There may be particular exceptions in cases where it has been shown, that such a duty would be productive of injury as I have before stated, the exceptions will be found to be in favour, where favour is shown at all, of the weak and unprotected interests. But the general rule is to establish a maximum duty of 20 per cent. At the present moment, the duties imposed on articles of foreign manufacture are as high in amount as they were during the war. There does not appear to have been any consistent and uniform consideration of the amount of those duties, and they have remained as they stood at the time when they were originally laid on. An objection has, I know, been taken by some Gentlemen to the proposed reduction on articles of this class. It is said, that in making that reduction, and inviting the competition of foreign manufacturers, we have begun at the wrong end; that we ought to have dealt more largely with the Corn-laws—that we ought to have reduced to a greater degree the duties on articles of provisions; and that it is not just or wise to reduce the duties on foreign manufactures until such alterations have been made. It is said, that we are subjecting the manufacturers of this country to competition with labour which can be had on the continent on more favourable terms, and that we are bearing with undue hardness on that interest. Now, I wish to consider fairly the force of that objection. My answer to that is, in the first place, that we have reduced in a very material degree the price of the necessaries of life. I will take the article of corn. The duty on the import of foreign wheat during the present week is, I think, 13*s*. per quarter. If the old law had been still in force, it would have been about 27*s*. [*Interruption.*] I shall be much obliged to hon. Gentlemen if they will allow me to proceed without interruption in the statement which it is my duty to make. I say, there has been a very material reduction in the duties on the import of foreign corn, and that any man who will compare the duties payable this day on foreign oats, barley, and wheat, with those which would have been payable if the old law had been in force, must admit, that there has been a very great diminution. I will now take the article of meat. What do we find to be the existing law in respect to the importation of meat? Why, with the exception of the duty on coarse salt beef, we find foreign fresh meat, or slightly salted, subject to absolute prohibition. It cannot be imported at all. We find also that fresh pork is equally subject to absolute prohibition. Now, the proposal which, after full consideration, her Majesty's Government have come to is, that foreign meat shall be admitted into this country, subject to a duty of 8*s*. per cwt. We find lard, an important article in the consumption by the poor, and also important to manufactures, now subject to a duty of 8*s*. per cwt. We propose to subject it to a duty of 2*s*. We find at present, salted meat subject to a duty of 12*s*. the cwt., we propose to reduce it to 8*s*. the cwt. We find ham subject to a duty of 1*l*. 8*s*., we propose to reduce it a 100 per cent.; that is to 14*s*. With respect to live animals,—namely, oxen, cows, calves, and sheep, we find them now subject to a duty amounting to an absolute prohibition. We propose to admit them at rates of duty which are supposed by some to be considerably too low, but which, I trust, I shall be able to show are not so; for although the rates we have affixed will give a security against an extravagant increase of price of meat at seasons when cattle are scarce, yet I feel confident, that by the removal of absolute prohibition, and by the substitution of a reasonable duty on live animals, as well as on fresh meat, the general interests of the country will be benefitted, at the same time that the agricultural interest will have no reason whatever to complain. On the contrary, I feel confident that that great interest will, together with all the other interests of the country, derive benefit from the proposed alteration. I think I have now established the proposition I laid down,—namely, that with respect to the great leading articles of consumption, wheat, living animals and fresh meat, but particularly with respect to the two latter, her Majesty's Government have proposed a measure that will effect a very important reduction in the price to the consumer. I will now take the article of fish. We find the importation of foreign salmon prohibited altogether. We propose a duty of

10*s.* per cwt. on foreign salmon, thus getting rid of the prohibition. Indeed, in every case, we have removed prohibition, and substituted a duty. I am aware, that this proposal, with respect to salmon, has excited alarm among persons having important interests in the salmon fisheries. An invidious distinction has hitherto been made in respect to duties imposed on foreign fish: those fish which formed an article of consumption with the rich were admitted free of duty; but fish consumed by the poor have been prohibited, or only admitted at a high rate of duty. I will take a fish in which the poor are most interested—I mean herrings. A particularly important change has been proposed in respect to foreign herrings. ["Hear."] I am almost doubtful, considering the importance which the hon. Gentleman attaches to this part of the tariff, whether I am to construe that "hear" into a sign of approbation or of dissent, because I have certainly received the strongest remonstrances against this proposed reduction in respect to herrings, from that part of the country with which the hon. Gentleman is connected. At present, all foreign-cured fish are prohibited. We propose, that foreign cured fish shall be imported at a duty of 2*s.* the cwt. I will read a statement which has been made to me, in a a letter from Scotland, with respect to herrings:—

> "Norway (the writer says) prepares about as many herrings as we do. They go to the Baltic, and the herrings cost them there about 7*s.* 6*d.* to 8*s.* per barrel: ours cost us from 18*s.* to 20*s.* per barrel. I presume, the Norwegian herrings may be landed in Ireland at 11*s.* to 12*s.* per barrel; while ours cannot be taken there for less than from 20*s.* to 22*s.* a barrel. I am a free trader in every other respect; but, with respect to herrings, I caution you against applying the general rule to them."

I give you that as a sample of the general postscript which is attached to every communication her Majesty's Government have received respecting every other article in the tariff. Now, I do not share in the apprehension entertained by this doubting correspondent; and I cannot help appealing to him that unless he can convince me that I shall be doing injury to the working classes in the north of Ireland by enabling them to obtain herrings for 10*s.* a barrel, for which they are at present paying 20*s.*, I do not quite agree that I am absolutely wrong in the change I now propose. But my wish is to encourage the native fishermen, and enable them to compete with foreign fishermen. Why should not the inhabitants of the north of Scotland be enabled to cope with the Norwegian fishermen, in supplying Ireland with herrings? I say, reduce the duty on timber,—enable them to build boats in which they may navigate rougher waters, and traverse more distant seas; and then they will be quite capable of competing with foreign fishermen. Their bravery is as great, and their skill is as great. Let them have the means of obtaining as strong vessels as other fishermen, then new scenes will be open to them, and fresh stimulus will be given for exertion. But to effect this, you must reduce the cost price of the materials with which they work; but, above all, you must reduce the duty on timber. This will enable the British fishermen to compete successfully with the Norwegian in supplying the north of Ireland with fish. With respect, then, to the article of fish, I think, after what I have stated, it cannot be denied that her Majesty's Government have made some important alterations. Now I come to vegetables, and to those which chiefly come into the consumption of the working classes. I find the duty on onions is now 3*s.* per bushel; we propose to reduce it to 6*d.* We find potatoes subject to a duty of 2*s.* per cwt., amounting almost to a prohibition. During the last winter, I received from the north of England and from Scotland many representations upon the subject of the supply of this article. Great alarm was felt respecting it during the prevalence of the wet weather. The price of potatoes appeared to be very low and reasonable, but it was said that the cause of that reduced price was the apprehensions that were felt that the potatoes would not keep, and they were therefore forced into the market. Considerable apprehensions were at that time entertained in Lancashire and throughout the north of England and Scotland in respect to the supply of the potatoes failing, and urgent representations were made to the Government upon the subject, some parties even suggesting that an Order in Council should be issued to permit the importation of sound foreign potatoes to prevent the possibility of a deficient supply. I believe that those apprehensions were not altogether well founded, but, considering the importance of the article, I think a duty of 2*s.* a cwt. amounts to a prohibition. It is, at all events, considerably too high, and a very material reduction ought to be made. I now pass from vegetables to the article of rice. Rice is an article which may be made a most material element in the subsistence of the people of this country. It is a most wholesome and useful article of food. The duty at present on foreign rice is 1*l.* per quarter; we propose to reduce it to 7*s.* per quarter. I now come to a vegetable in respect to which some notice has been taken in this House, and questions have been put upon it—I allude to hops. It appears in the printed tariff that no alteration in the duty is to be proposed. I stated on a former occasion that the consideration of this question was encompassed with many difficulties, on account, first, of the mode in which the duty was assessed, and the peculiar nature of the cultivation of the plant; and next, on account of the time when the arrangement for making alteration occurred. I wished to have an opportunity of communicating further with the parties who possessed the requisite local knowledge with respect to these points; and I, therefore, was anxious to suspend legislating upon this important article until I had the opportunity of having a full communication with them. That full communication has taken place, and her Majesty's Government have formed their decision with respect to the course it was fitting for them to pursue. Considering the great vicissitudes of the seasons, particularly in their application to the production of this article—considering the great variations in the amount of the supply, and the high price it bears, as compared to the price of other productions—considering also the great importance of this article as entering into that which constitutes the beverage of the people—I mean beer and ale—considering all these things, I do think that the present great duty upon hops is extravagantly high. And although I should be most unwilling in this, as in any other interest, rudely to derange the existing application of capital, or bring about distress which would re-act upon other parts of the community, still her Majesty's Government, after considering the peculiar nature of this article, and the alternations in its price, think that some security ought to be taken against those exorbitant prices which have obtained in some years by reason of the high prohibitory duty now imposed. The present duty on hops is 8*l.* 11*s.* per cwt. After having given the subject full consideration, we are of opinion, contrary, I fear, to the impressions of many, and contrary, certainly, to the remonstrances which her Majesty's Government have received on the subject—but still, acting upon one uniform principle with respect to this tariff—we are of opinion that we ought to propose to Parliament a considerable reduction of the present duty upon this important article. We therefore propose to reduce the duty of 8*l.* 11*s.* now levied, to 4*l.* 10*s.* per cwt. The effect of this alteration will be, not to injure or check the cultivation of hops, but to afford a security against the extravagant price which that article sometimes reaches in this country when the supply is deficient. Having enumerated these various articles on which alterations are proposed to be made, I maintain that it cannot be justly alleged that her Majesty's Government have not made very material reductions with respect to the price of articles which constitute the subsistence of the people of this country. Take the whole tariff, and not any one individual article, like the Corn-laws, and then can you deny that a material reduction has been made in the cost of sustenance, and that we are justified on that account in calling on the manufacturer to submit to a reduction of those duties which are supposed to constitute his protection? Now, in my opinion, there are very material errors in the general opinion with respect to the comparative cost of living in this country and foreign countries; and you will find, if you institute a comparison, particularly with respect to the inhabitants of large towns on the continent, that the cost of living of skilled manufacturers in those towns is very nearly as great as in this country. I will take the case of Brussels as an instance. A letter has been addressed to her Majesty's Government, by a most intelligent and respected individual, and who is at the present moment the representative of her Majesty at the court of Brussels. That gentleman was not invited to express any opinion on the subject, but, no doubt, considering the great interest that is now taken in this country respecting these matters, he was induced to make some observations upon the subject. He says:—

"*Brussels, May* 3, 1842.

"My Lord,—In the attempt so frequently made to establish a comparison between conditions essentially dissimilar, that, namely, of the working man in England and of a man of the same class on the continent, it very commonly happens that no allowance is made for the municipal or 'octroi' duties, which in the greater number of cases press heavily upon the latter. The paper which I have the honour of enclosing will show your Lordship what the town dues amount to at Brussels upon some of the great articles of consumption, and will prove, at the same time, that these heavy charges have all but doubled during the ten years intervening between 1830 and 1840. Upon cattle the duties leviable on entering the town are in some cases quite as high or higher than those paid upon crossing the frontier. Thus a beast imported from Holland would be subject to a duty of 20f. on arriving at Belgium, and to a fresh duty of 24f. on passing the gates of Brussels.

"To the Right Hon. Earl of
Aberdeen, K. T., &c."

This is the communication furnished by a gentleman well qualified to speak upon the subject; and, therefore, in instituting a comparison between the price of articles in England and upon the continent, you must be guided in your conclusions not only by the customs duties, but also by the municipal duties of the several towns. But supposing that the answer which I have given upon the question of reduced prices of the articles of consumption should not be entirely satisfactory, yet there is another and an exclusive ground on which, independently of that question, I vindicate a reduction of the duties on articles of foreign manufacture. I say that these high duties are a mere delusion; that they do not constitute a protection to the British manufacturer, and that in looking at those duties for protection he rests entirely upon a fragile and faithless support. The check to their operation is the smuggler. It is a mere delusion to tell the home manufacturer that you levy a duty of 35 and 40 per cent. upon the importation of foreign manufactured articles, if he is robbed of that apparent protection by the importation of the same articles in an illicit way, consequently I think I could conclusively show that there is no reduction proposed with respect to foreign manufactures, which I cannot vindicate on this single and exclusive ground, that the duty remains at last as high as you can possibly levy it without calling in the interference of the smuggler. In order to remove all uneasy feeling from the mind of the British manufacturer, with the permission of the House I will read an important and *boná fide* letter, written by a very extensive smuggler. I will read it because I wish to give the House a conclusive proof of the delusiveness of maintaining high protecting duties upon foreign manufactures. This letter is, of course, not addressed to me, but I can guarantee it to be a *boná fide* letter, addressed by a man of large means and large capital, in a regular way of business as a smuggler, who, I believe, has daily intercourse with persons in this great city:—It is dated at the end of December, 1841, and after offering his services in supplying goods to certain persons, he adds:—

"I am also able to forward to you, every week, blondes and laces (I mean articles manufactured at Lille, Arras, Caen, Chantilly, &c.) at a very low premium, by the indirect channel. The goods would be delivered in London the same week of the reception here, by a sure and discreet individual. My means are always free of losses and damages, or I would not use them. Here follow the prices at which I might at present undertake the passage:—

	Per Cent.
Blondes, by pieces, according to value	9
Blonde veils, according to value	8 or 8½
Laces (Lille ditto)	8 or 8½
Silk gloves	11 to 12
Kid gloves	12 to 13

And generally all silk goods, as gros de Naples, satins, gros des Indes, gros de Paris, jewellery, &c., for which articles prices would be to be determined, but certainly a great deal under your Custom-house duties."

Can there be, I ask, a more irresistible, a more tangible, or a more positive proof that you are not conferring a benefit upon the manufacturer by imposing a duty on articles of foreign manufacture so high as to afford a premium to the smuggler, who sets systematically your laws at defiance? Is it not clear that it is a positive advantage to the domestic manufacturer that he should know the extent of foreign competition he has to meet? Is it not to his interest that he should be fully and openly aware of it, and not be subject to an illicit, unseen competition, against which he can adopt no protection? There are no parties with whom I have had more intercourse, or whose case has called for more serious attention on my part, and on the part of my Colleagues, than the case of a class of persons unsupported by any great interest, but which has been brought under our notice in a way which quite entitled them to consideration—I mean those parties who are concerned in the manufacture of straw plat. They are mostly women and children; and they live in certain confined districts of the country. The present duty on straw plat is 17*s.* a cwt. We proposed a reduction of the duty to 5*s*., but we have been induced, in consequence of their representation, to increase the duty upon the import of the foreign manufactured article to 7*s*. 6*d*. a cwt., in the hope that these parties will be enabled still, by the exercise of their ingenuity and skill, to compete with the foreign manufacturer. But I wish to convince them of the delusiveness of the security which they ask for. The present duty on the raw material, that is foreign straw, not platted, is one penny per cwt. The duty on the same article, if platted before it is imported, is 17*s*. per cwt. Now this platted straw is so light an article that it affords great facilities for smuggling it into this country. I will give the House a proof of this. This small bundle which I hold in my hand is straw, (the right hon. Baronet exhibited it) the raw material which is used for the purpose of manufacturing the plat, and is subject only to a duty of 1*d*. the cwt. on its introduction into this country. The foreign platted straw, as I have already said, is subject to a duty of 17*s*. 6*d*. per cwt. But this is apparently a bundle of the unplatted straw. Now, observe (said the right hon. Baronet, and he then began very deliberately to remove from one end of the small roll of straw, such as may be seen in the straw-bonnet shops of this metropolis, short pieces of the same material, and having done so, he drew forth a parcel of foreign manufactured platted straw), that it is upon this (continued the right hon. Baronet) that a duty of 17*s*. 6*d*. per cwt. is imposed in order to give protection to the home manufacturer! Now, this is important, in order to show how delusive is the protection which this duty really affords against the importation of the manufactured article. This is a *bonâ fide* illustration of the delusiveness of these high protecting duties, and a conclusive proof how little benefit is derived to our domestic manufactures from imposts which can be so easily evaded. Now, these are the general grounds upon which I vindicate the reduction of duties upon foreign manufactures. I do so upon a double ground; first, by showing that we have made such a reduction in the cost of the means of subsistence as to justify us in reducing those duties; and, secondly, by showing, that the existing rate of duty is so high, that it affords no protection whatever. I dare say, by stating the amount of the reduction which I propose in some of the articles of foreign produce, hoping thereby to reduce the rate of living in this country, I have caused some alarm on the part of the producers of similar commodities in England. I speak chiefly now of those who are concerned in the production of cattle, and in the supply of meat. I wish to address myself more particularly to that class, for I never felt more confidence than I do now, that I shall be enabled to show, that the removal of prohibition in the case of cattle, and the reduction of duty on the importation of foreign meat, are not only perfectly justifiable, but demanded by a true consideration not only of the general interests of the country, but of the agricultural interest itself. It is quite an error to suppose that any class derives advantage by a high rate of living in this country. In the first place, there is no man, whatever article he may produce, but must derive a great advantage from a general reduction of prices. The particular article which he himself consumes may abide at the same price, and not fall under the general rule of reduction, and in respect to that particular article, he may be exposed to some suffering and loss; but he must, in regard to the general articles of consumption, share in the benefit of the reduction which the prices of those articles undergo. I will take, as an illustration of my argument, the case of the poor-rates. Within the last four years the cost of the articles of subsistence has been high. It is said, and I believe justly said, that the poor-rates fall with peculiar severity upon the landed interest. The profits of tradesmen in the towns which were originally contemplated to be subject to that impost, have of late years been free from it, by the effect of a temporary law, and those rates now fall with peculiar severity upon the owners and occupiers of land. Let us see how the cost of the articles of subsistence affects those rates. It appears, that the "amount of moneys levied under the denomination of poor's-rate in England and Wales, in 1837, was 5,294,000*l.*; 1838, 5,186,000*l.*; 1839, 5,613,000*l.*; 1840, 6,014,000*l.*" This shows that the increase of the amount of money levied on account of poor's-rate is in proportion to the increase of the price of provisions. I am quite aware that in some cases these prices have lately been reduced. I know, that there has been a general apprehension, and, indeed, a general panic, on the subject of the importation of live cattle. It has been constantly represented to me that the panic existed, that it was in vain to argue against it, whether well or ill-founded—and to so prevailing a feeling, great deference ought to be shown. I venture to differ from that statement; I do not think it a part of the duty of any Government to defer to a panic which they consider unfounded; much less do I consider it consistent on the part of the real friend of the agricultural interest of this country to show a deference to unjustifiable apprehensions. To defer to sound argument—to defer to justifiable apprehensions—is the duty of every Government; but to concede to a panic which you believe to be ill-founded, would be inconsistent with a wise and statesmanlike course, and would be inviting persons who were the subjects of those unfounded fears to rest their hopes upon high prohibitory duties, which would indeed be resting upon an unstable foundation. But no steps which I could take could guard against the panic which has existed. I admit it has existed. But let me observe that some portion of the reduction which has taken place in the price of cattle must not be attributed to the panic. There must be, at this time of the year, a reduction of price. It is inevitable, because there is a large supply of, and a reduction in the price of fodder. The whole extent of the reduction, therefore, must not be connected with the panic. But if persons will insert advertisements in newspapers, offering to supply the best meat from Hamburgh and other places at 3*d*. per lb., and if parties will not inquire into the truth of it, but will take it for granted, and will sell their cattle in consequence, I cannot help it. A little inquiry would have shown at once how impossible the thing must be. A house with a fine German name, at Hamburgh, is represented as offering to supply meat at 3*d*. per lb. Now, the slightest exertion would have discovered that no such house exists at all. If it does exist there, all I can say is, that the house which so offers to supply the manufacturing districts of the country with meat at 3*d*. a lb., is at present paying 6*d*. a lb. for it in Hamburgh. My belief is, that interested parties, pretending to sympathize with the poor manufacturing classes, have inserted these advertisements, having a knowledge of the prevailing panic, for the purpose of taking advantage of those who, by their fears, are bringing their cattle into the market. But I trust that the delay which has taken place in bringing forward this measure has tended to produce a calmer and soberer judgment on the subject, and that this cattle panic is of itself fast dying away. I have read an account of some recent occurrences, particularly in the northern parts of the country, which leads me to think, that those who expected to purchase cattle at a very reduced price will be disappointed: and that sounder notions are entertained, with respect to the price of cattle. But, in arguing this question of cattle, I am not about to say, there will be no reduction of price—I am not going to contend, that by admitting foreign cattle, and foreign meat, that at no period there will be any competition or reduction of price. But what I maintain, and what I am about to establish, is this, that the price of cattle and meat in this country has been unduly high—extravagantly high—and that if we can effect a reduction of price, we ought to effect that reduction. I shall show you, that your apprehensions are unfounded—that there will be no such material fall (I cannot effect that) in the price of cattle, as will affect the price of land, or in any way disturb the relations which now exist between landlord and tenant. But I am able to establish, by conclusive proof, that you ought to seek security, if you can, against the extravagant price of meat in this country, and which may arise from a defective supply, caused by applications of capital to other agricultural productions, and still more by the disorders which have prevailed among the cattle, and which have much diminished stock. Supposing any man, some twenty years since, any grazier, for instance, had been told what was to happen with respect to Ireland and Scotland. Supposing I had told him, fifteen years ago, what was then the produce of those two parts of the empire, and had foretold to him the wonderful discovery of steam, the facility with which, from Aberdeen, and other parts, enormous quantities of cattle could be brought to London; and what would be the increase of the produce in Ireland within the last twenty or thirty years. I apprehend, that the English grazier would have felt a panic twice as great as the panic which has now been felt, and he would have said, that it was utterly impossible for him to contend against the competition of Ireland and Scotland. I am quite ready to admit, that with respect to Ireland and Scotland, there was this difference, that they, being parts of the United Kingdom, are entitled to import cattle. ["Hear, hear!"] But the hon. Gentleman who cheers me, will not deny, that the 10,000 head of cattle, brought from Aberdeen, and from Ireland, would have just the same effect in depressing the English market, as if the same quantity of cattle had been imported from a foreign country. That is my argument. I am not saying that foreign countries have an equal right with Scotland and Ireland to import cattle, and on the same favourable terms. My argument is, that this great and unexpected increase of importation ftom Ireland and Scotland would produce the same depressing effect upon the British market as if the increase had come from Hamburgh. I say, therefore, that if twenty years since we had told the English grazier what would be the extent of importation at the present moment, from improvements in agriculture and navigation and other causes, he would have imagined that the price of cattle in the home market would be so reduced that he would have no chance of success against such competition. Yet, notwithstanding this competition, the price of cattle and meat has increased, and the price of meat is still increasing to an extent which deserves our most serious attention. As a proof and illustration of this, I will take the navy contracts for fresh meat that have been made within the last four or five years. I find that in 1835 the navy contracts for fresh meat were taken at 35*s.* and a fraction per cwt.; the price rose, in 1838, to 41*s.* per cwt., in 1840 to 46*s.*, and in 1841 it had increased, from 35*s.* in 1835, to 49*s.* per cwt. This, be it remembered, has occurred, notwithstanding the increased imports of cattle from Ireland and Scotland. I will now refer to the contract prices of meat for Greenwich Hospital. In 1835 the contracts were taken at 40*s.* a cwt.; and I must observe, that the probability is that that institution is supplied with a superior description of meat. I find that the price rose from 40*s.* in 1835, to 56*s.* in 1841. Again, I find that contracts for supplies of meat for shipping were made in Leadenhall market in 1835 at 36*s.* per cwt., and contracts of the same kind were taken there in 1841 at 48*s.* per cwt. I will now take pork—I mean salt pork for the navy—and I beg the House to recollect that this increased price of provisions tends materially to swell the navy estimates. I find, in 1835, that the contract price of salt pork for the navy was 4*l.* 14*s.* 8*d.* per tierce, and in 1841 the price had risen to 7*l.* 3*s.* 5*d.* This had not been a sudden rise, but it gradually took place during the intermediate years. In 1835, the price was 4*l.* 14*s.* the tierce; in 1838, it had risen to 5*l.* 14*s.*; in 1839, to 6*l.* 11*s.*; in 1840, to 6*l.* 14*s.*; and in 1841, to 7*l.* 3*s.* 5*d.* To show how this affects the public I will refer to Greenwich Hospital. The meat alone for Greenwich Hospital for the consumption of the inmates of that institution, though there was no increase in the number of its inmates, cost 4,420*l.* more in 1841 than it did in 1835. It appears also that the total increase of the household expenses of that institution was 12,000*l.* in 1841 than in 1835. If such an advance continued to take place in the price of meat, the authorities of the hospital stated that they should find some difficulty in making their present revenue sufficient. I have surely now said enough to show that notwithstanding the great importation from Ireland and Scotland there has been a continuous increase in the price of meat, and that it is desirable to open the ports of the kingdom to a foreign supply. Is not the fact of such a continuous increase in price conclusive proof that something shall be done; and does it not suggest the apprehension that the population is increasing more rapidly than the supply? I am aware that it has been said that the price of cattle has much increased of late years, and has been occasioned by another circumstance; it has been asserted that it has arisen because a disorder has prevailed among cattle. Now, I would ask, is not this very circumstance a conclusive proof of the necessity of doing something to meet such a case, and that there should be not an absolute prohibition, but a moderate duty which will enable you to go to the places where wholesome cattle are to be met with, that you may have the means of increasing your supply when the home supply is deficient. The amount of duty which I propose in the resolutions before the House is a penny a pound on fresh meat, or on meat slightly salted, and 1*l.* a head on oxen. I apprehend that the chief objection which is entertained against this part of the resolution is directed against the new duty of 1*l.* a head on cattle in the place of the present prohibition. There is an apprehension of danger to the domestic producer of cattle. Now, before I can assent to any apprehension of danger of this kind, I should ask the House to look to the extent of that portion of the continent of Europe from which a supply of cattle can be obtained. Corn, it must be admitted, can be obtained from almost every place where it is produced, it suffers no decrease in substance, and no deterioration in quality, how great may be the distance of transport, and it can be as as well imported from Odessa or North America as from the Baltic or the opposite coasts of the continent. In the importation of corn, we are subject to competition in the home market from the supply obtained from all Europe, and even America. But is there the same chance of competition with respect to a supply of foreign cattle. Let me in the first instance, separate the case of lean cattle from that of fat cattle. I think that I can prove satisfactorily to every sensible grazier that there can be nothing but advantage to him from the importation of lean cattle. I think I can show, too, that in no occupation has the profits been reduced in so great a degree of late years as in the fattening of lean cattle. I admit that this trade in cattle has been carried on with great advantage from certain parts of Ireland and Scotland, but I could show that there has been such an increase in the price of lean cattle in this country as to make it impossible for the feeder to realise any profit from fattening them, and that the importation of lean cattle from the continent would be of the greatest benefit to him. I have made inquiries on this point, and have ascertained from several of the most experienced and eminent graziers in the country, that of late years the profit is reduced to nothing, and the feeding would cease altogether were it not for the benefit of the manure. Therefore, by admitting the importation of lean cattle, I shall be conferring a benefit not only on the community, but on that body of agriculturists who are engaged in providing cattle for the supply of the market. But then I may be asked, why not apply the duty according to the weight of the cattle imported? My reply is, that the application of any such principle would defeat the object which I have just alluded to. It must be recollected that the weight of that description of cattle, which I think will be most largely imported—namely, the large lean cattle—is very great. The large lean ox, which would afford a profit to the grazier to fatten, would weigh much more than the small fat cattle which are likely to be imported. By adopting this principle, then, of imposing the duty by weight, you would be discouraging the importation of large lean cattle, the fattening of which might become such a large source of profit to the grazier; and I say, therefore, that the advantages will be very great in applying the duty in the manner I propose. Now, let me refer to the danger which is likely to arise from the importation of fat cattle. I think that I can show in an equally satisfactory manner as I have done in the former case that the apprehensions which are entertained on this point are entirely without foundation. From what countries is the danger from competition in the importation of fat cattle likely to arise? Now it must be recollected that the increase in the cost of foreign cattle would be enhanced, not so much by the amount of duty on the importation as the distance and expense of carriage from the countries from which the cattle would be brought. No one, I suppose, will argue that there is much danger to be apprehended from the competition that would arise from the importation of cattle from Spain and Portugal. I do not suppose that a single ox, fat or lean, will cross the Bay of Biscay for our markets. Let us next take France, and see whether there is any danger likely to arise from the importation of foreign cattle from that country. If any hon. Gentleman would take the trouble to inquire, he would find that the supply of cattle has for some time in France been rapidly falling short of the demand of the population. With respect to France, I can refer to documents which, I think, will prove my case most satisfactorily. I shall refer the House to the accurate statistical information which is prepared on this and other subjects in that country. I say, then, that I can show that there is no danger to be apprehended from France. Supposing, that the rich pastures of France could pour in a supply of fat cattle to an unlimited amount there would, I admit, be some ground for apprehension; but what are the facts of the case? During late years, France has been an importing country of cattle, and not an exporting country. I find that in 1840 — and I have similar returns for several years back and they vary little as to the general result there were 12,519 cattle exported from France, and 39,000 cattle imported into it. I will now take sheep—and many of these animals are exported by being sent across the frontier into countries were prices are dearer—and I find that 92,000 were exported in 1840, but during the same year 135,000 were imported into France. The result is, that for the last twelve or fifteen years the importation of cattle and other animals into France has greatly exceeded the amount of exports. In respect to cattle, then, France is an importing country; and yet even with this, I think I can show that the supply of meat there has not been equal to the demand, nor to the wants of the increasing population of the country. I will now take the prices in France, and show that there has been a great rise in prices of late years in that country. We will begin as so far back as 1822. In that year the average price of beef in the eighty-six chief towns of France was 7½*d.* per kilogramme, and in 1839 it had risen to 9¼*d.*; and in the same period the average price of mutton in those eighty-six towns rose from 7½*d.* in 1822, to 9¾*d.* in 1839. In Paris there had been a much greater increase. In 1822 the price of all sorts of meat there was 8½*d.* per kilogramme, and in the chief market on the 10th of March, 1841, the price had risen to 14*d.*, being an increase of 62 per cent. from 1822 to 1841. I will give the prices in Paris of oxen in different years. In 1822 the price of an ox was 296 francs, or about 12*l.*; in 1839, 392 francs, or 15*l.* 15*s.*; and in 1841, 459 francs, or 19*l.* Is any danger to be apprehended of a supply of foreign cattle from France, in which the price of oxen has risen within a few years from 12*l.* to 19*l.* In France too as in England, notwithstanding the number of foreign cattle that has been imported the price has risen, so that it is clear that the supply is not sufficient for the consumption of France. I find that the average consumption of meat in that country, between 1812 and 1816, was in the ratio of 70.51 for each individual; but during the years 1837 and 1840 the ratio was represented by 48.12. I think then that I have shown that there is no danger to be apprehended from competition with France, for here is a rise in the price of meat, and yet a diminution in the consumption, while the country is, I hope, in a state of prosperity, and that being the state of things, there is consequently no danger to be apprehended from a great importation from France. With respect to Belgium our Minister there when he noticed the alarm that was felt in this country on the subject, thought it his duty to write to the Government, and his words were:—

"I observe some allusions in the English papers with respect to the price of meat, and I see it stated that it can be imported from foreign countries into England, and sold at the rate of 3*d.* per lb. It is however, clear this supply cannot come from Belgium since the price here is just twice as high."

There is then a great delusion in supposing that meat can be imported from Belgium and sold in England at any such low prices. I apprehend that Holland is not a country from which we need fear any great importation. There is no fresh land there for cultivation. Spain is out of the question. The Prussian League is, with respect to cattle, an importing and not an exporting country. The only danger, then, is from Holstein and Jutland. But the cost of the conveyance of an ox by sea from either of those countries is greater than from Aberdeen. Remember, also, the enormous increase of supply of cattle from Ireland, and that it has not lowered the prices, and then compare Holstein and Jutland with Yorkshire, and ask youselves is there any prospect of a competition which is likely to interfere with the interests of English agriculturists. If you can make some reduction in price—if you can take any security against the exorbitant price of meat, you will be conferring a great advantage on all classes of the community, and even on the agriculturists themselves. But the extent of the area of the countries which can come in competion with them is so comparatively small, and the expense and difficulty of bringing cattle here from over the sea are so great, that they need fear no foreign competition. Next compare the quality of the meat. Your meat is far superior to the meat of the continent. When you hear that meat is 4*d.* per lb. on the continent and 7*d.* in London, you can draw no safe inference, unless you also compare the quality of both. I do not despair of seeing this country yet exporting fatted cattle. I believe that improvements in science, and the application of chemical processes to agriculture, may produce such results that you may be an exporting country. In confirmation of the opinion which I have just expressed, I can refer to the authority of a document drawn up by a minister of France, in which he names this country amongst others as one from which France could derive a supply of cattle. Again, your mutton is so much superior to that to be obtained on the continent, that I have every reason to believe that instead of this country importing any mutton, we shall export it largely to the continent. Indeed, at this moment, I believe legs of mutton are continually taken from Hull to Hamburg for consumption in the latter. The great advantage that I look to as being likely to arise from the importation of cattle, is that it may establish a check against inordinate prices, and on this principle I vindicate the course proposed to be taken by her Majesty's Government in the reduction of the duty. It has been said, why not impose your duty according to the weight or value of the animal imported? But I say, it cannot be done with advantage to the farmer and the consumer? I have already shown, that no such extent of import will take place under the mode proposed by the Government, as will prove injurious to the agriculturist, and I have also shown the advantages that will arise to the English grazier from the importation of lean cattle; I have also shown other reasons that operate to prove, that the course that we propose to take is the most convenient one that can be adopted. In addition, I may observe, that every foreign country which imports cattle, and imposes a duty on it, follows the plan which we recommend, and lays the tax on each head of cattle. Throughout the states, forming the Prussian League, foreign cattle are not admitted by the payment of an *ad valorem* duty, or on their weight, but the duty is levied on each animal. In France, there is an import duty of 20f. on each head of cattle; in Belgium also I find a duty of 20f. applied to all cattle. I do not mean to say, that no reduction of price will result from my proposition, I should be sorry if that to a small degree, were not to be the case; but looking at the state of this metropolis—looking at the great importance of a fair and reasonable supply of meat—and looking at the improvements which have taken place in steam navigation, I cannot think it has derived as much benefit, in the reduction of the price of meat, from them as it ought, and I should be sorry to see it derive no benefit from the proposed reduction. For my own part, I have no hesitation in saying, that if by the operation of this part of the measure, the price of meat be reduced in London, I should consider such result as a public benefit. I have laid on a duty of 1*l.* per head on cattle, because I consider the limited area of the countries that can compete with us, and the cost of conveying cattle by steam, and various other circumstances, throw so many difficulties in the way of the importation of foreign cattle, that no danger is to be apprehended to our home supply, and that sufficient protection remains for the grazier. Is the House aware, that in London alone there were slaughtered every year not less than between 170,000 and 180,000 cattle, and this is independent of all the slaughtered meat sent up to the London market. What an immense quantity of cattle must come in, then, to make any perceptible reduction in the prices. But is it likely that 10,000 fat cattle will come in? I do not apprehend, that any one believes that 10,000 additional cattle will be taken to Smithfield from abroad in the course of the year; and if that number were to be taken, would it make any very material difference in the price. I believe, that the general annual consumption of cattle in England is between 13,000,000 and 15,000,000. Is there, then, any just ground for their apprehension. In my mind the reasons are decisive for applying to this question the principles on which we have proceeded in framing the other parts of the tariff. I beg the House to recollect the extraordinary increase that has taken place in the amount of cattle, sheep, and swine imported into this country from Ireland within the last few years. In 1825, the number of cattle imported from Ireland was 63,000, and in 1840 the number was 120,000. The number of sheep imported from Ireland in 1825 was 72,000, and the number increased to 193,000 in 1840. The number of swine imported from Ireland in 1825 was 65,000, and in 1840 the number was 384,000. Now, notwithstanding this enormous increase in the imports from Ireland, it has not produced the slightest effect in the reduction of the price of meat; on the contrary, the prices of all kinds of meat have gone on rising for the last few years. Taking this circumstance into consideration, and supposing that there were no extensive importation of meat or cattle, and looking also to the constant and continued increase of our population, is there any cause for alarm or consternation on the part of the graziers? In adopting the step which I now recommend to the House on the part of the Government, I have no hesitation in declaring that by adopting it we are taking a security against an exorbitant price of meat in times of scarcity. I can illustrate the view by what takes place with respect to horses. There is at present a duty of 1*l.* a head on the importation of horses, and at that rate the smallest poney and the most valuable charger may be imported. Now look at the price of horses in some parts of the continent. Compare the Norman horse,—a beautiful animal—compare the price in France with the price of a horse of the same quality in this country. Why has there not been an importation of them into this country? You only levy a duty of 1*l.* upon all horses, and yet the amount of duty paid on the importation of horses has not been more than 400*l.* per annum for several years past. But what are the facts of the case? Why, that during this time we have been an exporting country for horses. I take the year 1839, I find that 389 horses were imported into this country, which paid a duty of 1*l.* a head; but during the same year 1,330 horses were exported. In 1840 the number of horses imported was 505, the number exported was 2,275, and in 1841 the number imported was 339, and the number exported was 4,538. I should rejoice were the same circumstances to take place with respect to cattle, and that we became an exporting country. My hopes are strong on this point, and I do not despair of seeing the day when, by the employment of capital, and the application of chemical science to agriculture, we shall have so far improved the breed of our cattle as to be enabled to export them, as well as horses. The cost of a horse is great in this country compared with the price in foreign countries, and yet we have been able to compete with other countries by the superiority of our horses; and I know no natural or necessary reason why we should not be able to supply cattle as well as horses. These, then, are the grounds on which the measure of her Majesty's Government has been framed. I hope that in the observations which I have addressed to the House that I have so far satisfied the mind of my hon. Friend (Mr. Miles) as to induce him to drop the amendment of which he has given notice. At any rate, if he persists in pressing it. I am prepared to meet it, and shall offer it a respectful but decided resistance. And I shall certainly be curious to know the arguments upon which, considering the gradual but rapid rise of price in this country, and the limited alteration proposed in the tariff—I shall listen with interest to the arguments by which he supports the necessity for an increased duty on the importation of foreign cattle. I deeply regret that the tariff proposed by her Majesty's Government should have had undue advantage taken of it by pretended sympathisers with the supposed sufferers to raise a panic relating to it. I have a sincere and cordial respect for the interests which apprehended that they would be affected by it, and I have therefore felt it my duty to enter into these details. Subsequent consideration and free communication with all parties have confirmed the Government in the opinion that these measures will be attended with great public advantage—that they will produce general advantage to all classes, including the agricultural class, by the reduction which we propose to make in foreign meat and cattle, and, above all, the removal of that complete prohibition which we found when we approached the subject. Not wishing to enter upon a question which has been adopted by Parliament—I mean the question of the Corn-laws—wishing to postpone the question of sugar, till the alteration of which the noble Lord has given notice comes under discussion—not wishing to prejudice that question by an imperfect reference to it, I have fulfilled the purpose for which I rose—namely, to state the general scope and object of the commercial arrangements proposed by her Majesty's Government, and to vindicate those points which have been most subjected to animadversion. I know that many Gentleman who are strong advocates for free-trade may consider that I have not gone far enough. I believe that on the general principle of free-trade there is now no great difference of opinion, and that all agree in the general rule that we should purchase in the cheapest market and sell in the dearest. [*Cheers.*] I know the meaning of that cheer. I do not now wish to raise a discussion on the Corn-laws or the sugar duties, which I contend, however, are exceptions to the general rule. I have stated the grounds, on more than one occasion, why I consider these exceptions to the general rule, and I will not go into the question now. I know that I may be met with the complaints of Gentlemen opposite of the limited extent to which I have applied the general principle to which I have adverted to these important articles. I have felt satisfied that it was inexpedient to apply such important changes as I have heard suggested to these important interests. I thought, after the best consideration that I could give to the subject, that, if I proposed a greater change in the Corn-laws than that which I submitted to the consideration of the House, I should only aggravate the distresses of the country, and only increase the alarm which prevailed amongst important interests. I think that I have proposed, and the Legislature has sanctioned, as great a change in the Corn-laws as was just or prudent, considering the engagements existing between landlord and tenant, and also the large amount of capital which has been applied to the cultivation of the soil. Under these circumstances, I think that we have made as great a change as was consistent with the nature of the subject. I shall postpone what I have to say on the subject of the sugar duties until the noble Lord regularly comes forward with the motion of which he has given notice, and I shall then be ready to state the reasons which have induced her Majesty's Government to adopt the course which they have. It is impossible, in dealing in general with such immense and extensive interests, to proceed always by a strict application of the general principle, for in such cases it is of the utmost importance to proceed with caution. I believe that the true friend to general principle will argue that it is not expedient or proper to propose such a change as would produce so much individual injury as to cause general complaint, and excite a strong sympathy. I contemplate the matter in the same point of view, as this question was contemplated by a distinguished statesman, now no more, with whom it was my good fortune to act in 1825. That eminent man then proposed to make some changes in the commercial and colonial policy of the country, but the proposition which he brought forward in 1825 was not so extensive as that which I have had the honour of submitting to the House. Those measures had my cordial support and concurrence. Mr. Huskisson, when he brought them forward, prefaced his speech with these observations:—

"I am not anxious to give effect to new principles, where circumstances do not call for their application; feeling as I do, from no small experience in public business—and every day confirms that feeling—how much, in the vast and complex interests of this country, all general theories, however incontrovertible in the abstract, require to be weighed with a calm circumspection, to be directed by a temperate discretion, and to be adapted to all the existing relations of society with a careful hand and a due regard to the establishments and institutions which have grown up under those relations."

These, I think, are just and profound, and wise opinions, and in the temper in which Mr. Huskisson acted, I and my Colleagues have attempted to remodel and simplify the tariff by removing the prohibition on some articles, and by the reduction of duty on others, and we have proceeded with such care and caution as to produce as small an amount of individual suffering as was compatible with the end in view. I regret any suffering that may be inflicted on any parties, but if we admitted the principle of putting off the question on that account, I fear that we should have to postpone the consideration of all such questions to an indefinite period. I sincerely hope that the general result of this and the other measures will be ample compensation for any individual suffering that may be inflicted, and that the general result of the whole will be to increase the demand for the employment of industry, and which would also increase the means of the people to command the comforts and necessaries of life. We have made this proposal at a time of very considerable financial embarrassment, but in doing so, we have set an example in Europe, we have declared that we will not seek to improve our finances by increasing the duties on imports. Amidst all our financial difficulties, we have trusted to other means for replenishing the Exchequer. In the face of all these difficulties, we have come forward with a proposal greatly reducing the restrictions, and imposts on foreign articles. I deeply regret to have it to say, that other enlightened communities have not acted upon this principle. We have reserved many articles from immediate reduction, in the hope that ere long, we may attain that which we consider just and beneficial to all,—namely, increased facilities for our exports in return. At the same time, I am bound to say, that it is for the interest of this country to buy cheap, whether other countries will buy cheap from us or no. We have a right to exhaust all means to induce them to do justice, but if they persevere in refusing, the penalty is on us, if we do not buy in the cheapest market. But I believe firmly, that the example which England is now setting, will ultimately prevail. The countries I speak of may hope to retrieve their financial difficulties by the adoption of a different course from that which we pursue; they may think to increase the revenue by increasing the imposts on foreign manufactures, but they may rely on it they will here be met by that very influential corrective of high duties—the smuggler. They can rest only on one of two measures to correct the evils arising from high duties—they must either resort to such an extensive establishment, that it will eat up all the profits, or if they neglect this, and merely impose exorbitant duties, without keeping up an exorbitant establishment, they will find that almost the entire demand for the various articles will be supplied by smugglers, and those things will be introduced by an illicit trade, which their imposts prevent the introduction of legally, and with advantage to themselves. If you look at the countries in which high protection, prohibitory protection is kept up, you will gradually find the people of those countries more and more comparing our example and the results of it, with the principle acted upon amongst themselves and the results of it. Take Spain, for instance, where, as Mr. Huskisson, among others, had pointed out, protective prohibitory duties existed in their most extensive form; what had been the effect of this system there? Eternal conflicts on the frontier, and no revenue. I regret, I say, that in other enlightened countries there is not as yet evinced a disposition to follow the example which we are now setting; and I very much regret to see any thing of this illiberal spirit in the United States, but I at the same time feel that the people of those states are too enlightened not to see that our example ought to be followed, and that they will, ere long, take care that it is followed. In Russia, attempts have been made at a most enormous and unprofitable expense, to introduce manufactures; but I am sure, that before long, the great pecuniary loss sustained in that country, by these attempts to force manufactures, will bring conviction to the minds of the people of their futility. I feel certain that the example of England adopted at this time of commercial and financial difficulty—our determination to pursue one path in the right course, will operate on foreign nations; but if we find, that our example is not followed—if we find that, instead of reducing the duties on our manufactures, they resort to the impolicy of increasing them, still this ought not, in my opinion, to operate as a discouragement to us to act on the principles which we believe to be sound, those principles which will not only be immediately profitable to us, but the example of which will ultimately ensure that general application of them, which will confer reciprocal benefit both on ourselves and on all those who are wise enough to follow it.

Mr. *Labouchere* said, that he quite felt it was in the highest degree desirable, that consistently, with fair discussion, this commercial measure of the Government should be decided on as soon as possible, in order to avoid those evils which protracted uncertainty on this subject must produce on the trading classes of the country, and he should not himself interpose on the present occasion anything more than a very few remarks upon the general character of the tariff. He had heard with very great pleasure the main principles which the right hon. Baronet had that evening laid down, and the outline of the measure which he had proposed. One observation, however, in justice to himself and to those with whom he had acted in office, he felt called upon to make; namely, that the late Government had distinctly declared, and were prepared to act upon, the opinion which was now adopted and announced by the present Administration, namely, that the time had now come, when reference to the finances of the country, and with a view to the general interests of commerce and of the nation, it was necessary that the whole of our commercial system should be revised and reformed; and he could only regret that any state of parties should have existed, which could have the effect of depriving the country of the inestimable benefit it would have derived from a measure like this having been passed at an earlier period. ["Sir *James Graham*: The tariff was not touched by the late Government."] The right hon. Secretary for the Home Department informed him that the tariff reform was not proposed by the late Government. The right hon. Baronet and his friends took pretty good care that the late Government should have no opportunity of proposing such a reform. But he could in turn inform the right hon. Baronet, if he was not aware of the circumstance, that the late Government actually announced a tariff reform, and, moreover, that they had a measure on the subject ready; and it would have been his gratifying duty, had the late Government been permitted by the House to go on with its measures as to corn, timber, and sugar, to have followed up those measures by the introduction of a reformed tariff—it was nothing but the want of success which those three measures encountered which prevented the late Government from proposing to the House measures of a similar character and description to that brought forward by the right hon. Baronet. He had really felt it to be a duty to himself, and to those with whom he had acted in office, to remind the House of these circumstances, especially as the right hon. Baronet, in bringing forward this motion, had entirely omitted to make any reference to them, however indirectly. The right hon. Baronet had occupied a considerable portion of his speech in dealing with those objections which he said had been urged by some of the manufacturing classes of the country to the unfair manner in which as they alleged they had been dealt with in the new tariff. Now, he probably, in consequence of his late official situation, had had opportunities of seeing and conversing with many persons representing or connected with the classes said to be injured with this tariff; they had come to him for the purpose of complaining of the manner in which they were affected; and when he replied to them, "How can you expect me, with my known opinions as to the reduction of duties on imports, to oppose the Government in their reformed tariff?" They rejoined, "Yes, we know very well that you yourself proposed to deal with us in the same manner, but then, at the same time, you proposed to deal effectually with the Corn-laws too;" and the right hon. Baronet might depend upon it, that the feeling of dissatisfaction which prevailed in many quarters, on the subject of his tariff, was mainly founded upon the very general opinion that the right hon. Gentleman had dealt with the great subject of the Corn-laws in a different manner from that in which he had dealt with comparatively minor interests which were affected by the tariff. It was the conviction of the late Government that a new Corn-law, based on sound, just, and commercial principles, was an essential foundation and corner-stone to an honest and effectual tariff reform. The right hon. Baronet had mentioned a Scotch correspondent of his, who avowed himself a good free-trader in everything but herrings; the right hon. Gentleman himself somewhat resembled the person of whom he spoke; the right hon. Baronet was a good free-trader in everything except corn; not to mention some other important exceptions, such as sugar, which he would not enter upon that evening. He would repeat, the main and essential difference between the scheme of the late Government and that now proposed by the right hon. Baronet was this: that whereas the late Government thought it unjust, nay, impossible, to bring in a general measure of commercial reform, which must necessarily affect injuriously the interests of so many classes, without previously, or at the same time, dealing boldly and firmly with the laws restricting the importation of corn and other prime necessaries of life, such as sugar, &c. The right hon. Baronet entered upon his plan of commercial reform without dealing in anything like a satisfactory manner with the subject of corn, and leaving the sugar question altogether untouched. This was the essential difference between the plan of the late and the plan of the present Government, and he could fairly say, after hearing all that had been said, that he retained his opinion, that the measures of the late Government were more just, more effectual, and more satisfactory than the measure now before the House. Premising thus much, he could assure the right hon. Baronet that he did not mean to deny that there was a great deal which was most valuable in the amended tariff he had laid on the Table. He had read with much pleasure the greater portion of the alterations proposed, and he felt sure that at no great distance of time, the effect of these changes on our commerce, manufactures, and on the general condition of the people, would be most beneficial. It was observable that some of the most useful parts of the measure were precisely those which had encountered the greatest degree of opposition throughout the country. He considered what the right hon. Baronet had said as to the importance of reducing the duties on foreign minerals and ores, especially copper ore, to be perfectly sound; indeed, the cases stated by the right hon. Baronet must have at once convinced the House on the subject. It was well known, that in consequence of the present duties, ships, which formerly used to come to England to be coppered, were now sent to Hamburg or Rotterdam for that purpose, solely because it could be done so much cheaper there. The right hon. Baronet had truly stated, that in many cases where parties complained of a change in their protection, the protection they now nominally enjoyed was of no avail, because the smuggler stepped in, and undersold them. The allusion which the right hon. Baronet made to the subject of lace, reminded him of a very singular but very sensible communication he had once received from a body of lace traders, begging him to reduce the duties on foreign lace, for those duties had increased smuggling to such an enormous extent, that the fair traders were being set aside altogether, and they had in consequence opened their eyes to the fact, that their best protection would be a moderate duty instead of a prohibitory one. In the course of his speech the right hon. Baronet had triumphantly referred to his measure on the Corn-laws, as one which had been successful in greatlly reducing the price of the great necessary of life; for, said he, "look to the duty now which is applicable to foreign corn, and recollect what it would have been under the old law." But what was the simple fact of the matter? Undoubtedly the nominal duty was lower now than it would be were the old law still in force; but the new sliding-scale stepped in, as the old would have done, and, in reality, foreign corn was at the present moment as much excluded as ever; there was no foreign corn coming into consumption at all now, any more than it would have come before. Now, as before, the speculators were all holding back, in the belief that prices would rise, and the duty fall lower, and still lower; the sliding-scale, in fact, was operating at the present moment precisely in the same manner that the old sliding-scale had operated, and the country was as much as ever debarred from the use of foreign corn. Having said thus much, he would only add, that he should enter upon the discussion of the new tariff with every wish to deal with it fairly and impartially, and to interpose no petty cavils or trivial objections; he considered that every measure of this sort should in a great degree be looked upon as a whole. He had had quite sufficient experience of this subject, to know that a right conclusion was much more likely to be arrived at by Ministers of the Crown discussing the various points at their office with the parties respectively interested, than could be attained by discussions in the House, and he was quite ready to say, that when he agreed in the general principles of the tariff, he should raise no petty cavils at details. He should reserve till a proper occasion the statement of his opposition to a few points in the tariff, where, as he conceived, either some important principle had been violated, or some great and flagrant injustice had been committed. In conclusion, he would only say, that he rejoiced to find, that those who were prevented from carrying this measure into effect when they were in office, now saw their principle admitted, and would have the gratification, as independent Members of that House, of giving their cordial support to that measure, now that it was brought forward by their political opponents.

Mr. *D'Israeli* said, with reference to the accusation made on the other side of the House, that the right hon. Baronet at the head of the Government had repudiated principles when in opposition, which he had adopted when in office, that that charge had been made without due examination of the facts of the case. He did not think, that the hon. Gentlemen opposite had succeeded in making out their claim to being, peculiarly, the originators of the principles of free-trade; and, as it was of great importance, that the House should have as correct a knowledge as possible, as to the pedigree of those particular dogmas, that Gentlemen opposite should not continue to consider that the country was indebted to themselves for the doctrines of free-trade, or Gentlemen on his own side imagine, that those doctrines were of such recent and modern invention as was generally supposed, he might be allowed to remind the House, that it was Mr. Pitt who first promulgated them, in 1787. At the time when this country had been deprived of the great colonial market of America, he was led to look round for new markets on the continent of Europe, and first developed that system which he considered should form the future commercial policy of the country. Mr. Pitt said, that we must begin to carry on commerce upon a system of complete reciprocity — that we must lower our duties, and consolidate our customs. This was at a time when the Whigs ranked among their number such names as those of Fox, Sheridan, Burke, Sir Philip Francis, and the distinguished relative of the noble Viscount

(Viscount Howick) opposite, and yet Mr. Fox, on a question in which the principles of the then proposed commercial policy was discussed, denounced those new principles of commercial reciprocity, and said they formed altogether a new system in which not only were the established doctrines of our forefathers departed from, but all the essential principles on which our commerce had been previously conducted, were to be changed and abandoned. Mr. Burke and Mr. Sheridan also strongly opposed the commercial system recommended by Mr. Pitt. In the House of Lords, too, the opposition to it was still more strong and efficient, and the opinions of Mr. Pitt upon commerce were so far in advance of the age, that not even a Member of his own Government in the House of Lords was willing or competent to become their advocate. The task devolved on Lord Hawkesbury, not then a Member of the Administration; an able man, whose mind had been directed to such studies. Yet he could not maintain the controversy against the violent assault of Bishop Watson, who brought forward a mass of statistical details, rare materials of Parliamentary debate in those days, to prove that the system of Mr. Pitt was utterly erroneous, and that the first method of carrying it into effect, namely, a commercial treaty with France, was pregnant with ruin to British trade. It was the repeated attack of Bishop Watson, and its effect on the audience to which it was addressed, that brought from his retirement the most remarkable man of his age, Lord Shelburne. Let hon. Gentlemen read and digest the speech delivered by Lord Shelburne in answer to Bishop Watson on the French treaty; and they will then find that instead of that great progress, which we are too apt to suppose public men have made of late years, in the science of political economy, we were at this moment far behind many of the great statesmen who flourished at the end of the last century. The principles of free-trade were developed—and not by Whigs—fifty years ago; and how was it, that the Whig party now came forward, and contended, that they were the originators of these opinions? But what was the conduct ofthe Pitt party after the peace? Was the party which originally brought free-trade principles into notice at that period, false to those principles? If that question were fairly examined, it would be found, that exactly the reverse was the case, and that, on the very first possible occasion, the Administration of Lord Liverpool showed itself in advance of the years, upon the question of a greater freedom of trade. Before Mr. Huskisson received his great and beneficial influence on the commercial legislation of this country, Mr. Wallace and Mr. Robinson had carried a series of measures founded on the true principles of this commerce; and Mr. Huskisson only prosecuted their system, and in which the right hon. Baronet now proposed, it was manifest, that he was doing neither more nor less, than carrying into effect principles which originated with Mr. Pitt. The conduct pursued by the right hon. Baronet was in exact harmony—in perfect consistency—with the principles in reference to free-trade laid down by Mr. Pitt, and his reason for saying thus much, was to refute the accusations which had been brought against the present Government, that, in order to get into, and being in, to keep office, they had changed their opinions on these subjects.

Mr. *Hume* did not mean to follow the hon. Member who had just sat down in tracing back for the origin of free-trade principles, being perfectly content with finding that those principles were now to be acted upon. He was delighted at this result, and he hailed with joy the right hon. Baronet and his Colleagues as converts to the wisdom of the principles of free-trade. Was it not a cause of triumph that the present Government had adopted the principles of free-trade, and had not he, who, twenty-five years ago, had been reprobated for broaching free-trade doctrines, reason to rejoice when he heard the right hon. Baronet declare, that the people of this country ought to buy in the cheapest markets they could find? When he (Mr. Hume) made similar statements, he was treated as one who wanted to destroy the country, and hence it was that he was delighted to find that his own principles—the principles of free-trade—were to be the order of the day. No doubt the principles of free-trade had been adverted to in 1787; but had they not since been allowed to slumber, at least so far as the Tory party were concerned? Although the hon. Member had claimed credit for his party as free-traders, he (Mr. Hume) could only hail the hon. Gentlemen opposite as proselytes to those principles which had been advocated by hon. Gentlemen on that side of the House; but he cared not to which side of the House the credit belonged, being satisfied that the principles of free-trade had at length been adopted, and he thought the result was one at which the country had great cause to rejoice. He did not hesitate to say, that they were bound to consider the whole subject with reference to the state of the country, and not to party politics. It was not a party matter, and they should therefore look at it simply in reference to the peculiar situation and exigencies of the country at the present period. Regarding the condition of trade and commerce, they were bound, not only to act with decision, but to act speedily, and, for his own part, he should throw no obstructions in the way of the measure. He must admit, that he heard the statement of the right hon. Baronet with the greatest satisfaction. That statement did the right hon. Baronet the utmost credit, and for his own part he would not upbraid the right hon. Baronet because of the reflections which had been cast upon that side of the House. He would fairly say, that the times in which they lived might account for the change which had been produced in the opinions of the right hon. Baronet and the hon. Gentlemen opposite, and he was the more ready to throw out this observation, because he thought it behoved every man to look at the great object which they had in view, independently of party or political considerations. For himself, he could only say, that he should do all in his power to support the right hon. Baronet in carrying out the principles of free-trade, which he had so ably explained to the House, and his only regret was, that the right hon. Baronet did not extend the principle which he applied to other articles of food—to corn. Had he done so, he would soon have found how admirably he could have relieved the country from the present difficulties; but it was quite evident that the present step could not be taken without being speedily followed by the removal of the Corn-laws. He regarded the present measure as an instalment, and it was on that ground that he hailed it as an advantage to the country, especially, coming as it did from the Members of the Cabinet, who had become converts to the opinion that the principle of free-trade would improve the circumstances of the country.

Mr. *Gladstone* said, he did not rise to reply to the epithets used by the hon. Gentleman who had just sat down, or to argue the details of the measure, for the argument of which there would be other and ample opportunities when the matter came regularly before them. It appeared to him, considering the extraordinary importance of proceeding as speedily as possible with the contemplated changes in the tariff, that they would be but ill-discharging their duty, if they were to waste their time by indulging in discussions as to which party might claim credit or be liable to blame, or minutely inquiring as to who were the authors of the principles on which the measure under consideration was founded, and on which they were now called upon to act. The hon. Gentleman opposite stated, that the Government had come forward as converts in support of principles to which they had been previously opposed, but although he would not now enter into any controversy with the hon. Gentleman on that point, he must enter his protest against the statement, and wished to be understood as distinctly denying the truth of such an allegation. There existed no such change of either views or principles as the hon. Gentleman had stated, and the fact would be demonstrated by a reference to the commercial history of the country. Those who had watched the course of events since the war, must be aware of the truth of what he asserted, and when it was remembered, that his right hon. Friend, the First Lord of the Treasury, was the colleague of Mr. Huskisson, and had zealously co-operated with Mr. Huskisson in all his measures nearly twenty years ago, there could be no doubt whatever, that his right hon. Friend had neither changed nor abandoned his former opinions. He felt bound to say so much, because the late Government had, in its last moments, endeavoured to blend their policy in particular with the history of the principles of free-trade, and at the fitting opportunity when the matter could be discussed without obstructing the public business, he would be prepared to show, that there was no justice whatever in their laying claim to any such association. For the present, he would be contented with the simple assertion, that if they were to take the twenty-seven years since the war, it would be found, that in no period of seven years out of the twenty-seven, had so little been done for the advancement of the principles of commercial relaxation, as during the seven years through which the late Government had held office. He said this without wishing to provoke discussion at the present moment. He laid claim to no credit on the part of hon. Members on his side of the House, and made the assertion merely because of the allegation of an opposite kind which had been confidently but carelessly made by the hon. Gentleman opposite. He denied, that there was any historical foundation for the alleged charge, and he thought, that nothing was more unworthy than to impute to parties, that they were supporting opinions contrary to those which they had professed. The right hon. Gentleman, in conclusion, suggested whether, instead of indulging in personal altercations, it would not be better at once to proceed with the measure under consideration?

Mr. *E. B. Roche* was as anxious as the right hon. Gentleman who had just sat down to proceed to the discussion of the main question before the House; but when that right hon. Gentleman said, there had been no alteration of opinion upon this question, he could not but take leave to remind him that when similar measures to these were brought forward by the late Government, they had heard nothing of the right hon. Baronet's undeviating adherence to free-trade opinions. When Lord Melbourne's Government introduced their great measure for the revision of the tariff—was the right hon. Baronet a free-trader then? Not at all. When the measure for the alteration of the Corn-law was introduced—was the right hon. Baronet an enemy to monopoly then? Why, they heard of nothing but support of the agriculturists. When an appeal was made last year to the constituencies—were hon. Gentlemen opposite free-traders then? Why, they were anything but free-traders. They took their stand, as they said, on the principle of "No surrender." They refused to permit of any modifications whatever. If he knew little of their elections, Gentlemen would give him credit at any rate for knowing something about his own, and certainly the great cry raised against him in the county of Cork was on account of his supposed desire to alter the Corn-law. But he had then foretold the present proceeding. He said to his constituents, "Let the Tories come into power, and they will alter the Corn-law on our principles." Did they deny that he was a true prophet? Had they not adopted the liberal principle of modification, and effectually altered the law? But he did not rise for the purpose of entering upon recriminatory observations of this sort. Representing, as he did, the largest agricultural constituency in Ireland, he could not but look with some anxiety at this measure, and when he reminded the House of that circumstance, and also reminded them that this was the first time he had had the honour of addressing them, he was confident they would give him an attentive hearing, whilst he offered his opinions on the subject. He candidly admitted, that he had never had more difficulty in coming to a conclusion upon any question than he had had in deciding upon this. He had always advocated principles of free-trade, but when he looked at the details of this measure, he could not but see that they would be very injurious to Irish interests. Ireland largely exported corn and provisions, the latter in double proportion to the former. Now, how were the Government dealing with those interests? Were they applying the same principles to each and to both? Gentlemen opposite were great sticklers for the sliding-scale; but if they were sincere in their advocacy of that extraordinary expedient, why did they not find it necessary to apply the same principles to meat as to grain? His own opinion was decidedly favourable to a fixed duty upon both; but, looking at the measure as it stood, he did say, that they were doing a great injustice to Ireland by bolstering up their own interests by this juggle of a sliding-scale, and leaving Irish interests with a very inferior protection. But, examining more deeply into the matter—looking at the amount of duty they proposed, why they put a duty equal to 27 per cent upon corn, whilst the duty on meat was only equal to 9 per cent, thus giving a differential duty of 300 per cent in favour of the meat over the corn imported. This was a manifest injustice to the meat interest. But, still further; viewing the question as a practical agriculturist, he did say, that if they forced upon Ireland the necessity of growing corn in preference to rearing cattle, they were forcing that upon her for which she was the least fitted. On these accounts, therefore, he thought that Ireland was likely to suffer by this measure; but then the question arose, did he, on that ground, intend to oppose it? Now, he looked at the feelings of his constituents, and he found that they deeply sympathised with the distressed people of this country, and that on every principle of justice and humanity they were willing and prepared to make a sacrifice to relieve their wants. He should, therefore, in compliance with their wishes and his own, give his support to the measure of the present Government; but, doing so, he would ask were they not entitled to demand some equivalent? He did not, of course, mean that they should put their hands into their pockets to relieve the wants of the Irish people; but what he did ask was, that they should give to Ireland a good and comprehensive measure of legislative justice. He asked them to consider the important question of the formation of railways in Ireland; he asked them to give Ireland a proper measure of fiscal reform—to allow the people to have some share in the administration of the funds they supplied; and he further asked for that which he feared the party opposite were loth to grant—a properly defined franchise, and one also which was more extended than the present. As one of the representatives of a people prepared to make a large pecuniary sacrifice for the general good, he did ask them to afford Ireland some compensation for her inevitable loss by turning their attention to these subjects, and adopt measures which would stimulate the people by giving them the advantages he had pointed out, as well as by awarding them the unbiassed justice to which they were so fully entitled.

Mr. *G. Palmer* was, he said, astonished to find both parties now claiming for themselves the credit of originating and supporting free-trade. The right hon. Gentleman, the late President of the Board of Trade, very properly and very consistently claimed this, if it were a merit for himself. It was because the right hon. Gentleman had been so last year, that he had opposed him and his principles, and those principles he now also was opposed to. He believed in his conscience that the happiness and greatness of this country depended not upon free-trade, but upon protection. It was to protection they owed the maintenance of their interests, the superiority of their navy; and it was that, and that alone, that had made them powerful. He must say, that if the right hon. Baronet below him had only stated last year the opinions which he had just now given utterance to, the division would not be like what it was then, and all parties would be in a very different situation now. What must have been the case if such declarations had been made at the hustings. Sure he was, that if he himself had made such declarations as he had heard that night, he should not have had fifty votes. Hon. Gentlemen might judge for themselves; but he would only say, that last year he had given his vote in one way, and he was not sufficiently acquainted with Parliamentary customs to give a vote the contrary way now. The tariff, as it was now presented to them, was composed of a mixture of all manner of contradictions. There was protection for one interest, and all protection was taken away from another. But, then, the manufacturers remained untouched. The intention to assist them was shown in lowering the duties on oils and other matters, and then there was a protection of 20 and 30 per cent. on what they produced. The agricultural interest must look, in his opinion, with much alarm upon the measures that were taking place. There was the first measure—the Corn-laws — and with regard to wheat, the right hon. Baronet had gone the full length that the agriculturists would consent to let him go. And now, having past that measure, the right hon. Baronet had been going on deeper and deeper, until at last he had come to the reduction of all protection upon some of the smaller articles, perhaps because it was thought that they had no powerful advocates to contend for them. Let them, for instance, look at the article of potatoes. There was no article that was of more importance. They were told that the people of this country were short of food. Now, three times as much money was expended in the cultivation of an acre of potatoes as on an acre of corn. Not only was there so much more expended in the cultivation; but the produce was three times as nourishing in maintaining the lives of the people, as an acre of wheat. Now, that he said was not the sort of article on which they ought to try their free-trade principles. It was his opinion, that all they were doing was calculated to create alarm amongst the agriculturists. If there was nothing else to alarm them, they must find it in the sort of free-trade observations of the right hon. Baronet, and that those observations had been answered by the cheers of Members on the Opposition side, not one of whom but had advocated the total repeal of the Corn-laws. It did not rejoice him to hear cheers from that side from the right hon. Baronet. But the thing went farther. The right hon. Baronet had turned to Members on the Opposition benches. The right hon. Baronet had been heard before now quoting their opinions; for instance, he had told them to attend to the opinions of the hon. Member for Bolton (Dr. Bowring), who was, he said, so well acquainted with matters of this kind, and had such great research in statistics; and the right hon. Baronet had told them, on the authority of that Gentleman, that the cattle were not yet dropped that were to be imported into this country, nor was it likely they would be dropped. But then, if that hon. Gentleman's authority was good in one case, surely it must be so in another; and that hon. Gentleman had assured them, that if they gave him a little of what he wanted now, it would enable him to secure the ultimate object of his wishes—and that was a repeal of the Corn-laws altogether. Such assertions from the other side of the House gave reason to the agriculturists to be alarmed. He, for one, felt that alarm himself, for he did not know what the right hon. Baronet might not yet do. He did not know but that similar things to what he opposed before might occur. He feared that when the right hon. Baronet had passed his tariff he would be called upon to repeal the Corn-laws. The same engine might be set to work again, the same designing individuals might use the same engine, and the multitude might be brought forward. That same engine might be brought into use that had carried the Reform Bill. The right hon. Baronet was not able to resist the Reform Bill, and he remembered the hon. Member for Montrose, on the occasion of a dinner at the London Tavern, to celebrate the triumph of the Reform Bill, had said, that the two best friends to reform were the right hon. Baronet and the noble Duke, for without them it could not be carried; for if they had not repealed the Test Acts, and if they had not carried Catholic Emancipation, they never could have had the Reform Bill.

Colonel *Sibthorp* said, that if anything could tend more than another to make him dislike the tariff it would be the manner in which it had been received by the other side of the House. It had met with the full and entire approval of the hon. Member for Montrose, who came to the House, after his short absence, duly primed and loaded, and who had discharged his great gun no less than seventeen times the first night, displaying a degree of celerity in re-loading and firing again which could not have been executed by the best disciplined park of artillery. He had listened with great attention to the speech of the right hon. Baronet, which displayed much ingenuity, and (he should be pardoned the expression) considerable subtlety, with some fallacy. The hon. Member for Montrose said, that he was delighted with the measure of the right hon. Baronet, and he repeated, that if anything could tend more than another to make him dissatisfied with the tariff, it was the approbation of that hon. Member. But the right hon. Baronet had too strong a head to be led away by any such indication of support—he was too sensible to be caught with chaff—he would not listen to the voice of the charmers at the other side, "charm they never so wisely," and in particular to the hon. Member for Montrose. When hon. Members opposite expressed their approval of the measure of the right hon. Baronet, he remembered that he had read at school—

> Timeo Danaïos et dona ferentes."

And he could assure those hon. Members that they were too wise at his side of the House to be affected by that praise. He cautioned the right hon. Baronet against listening to the voice of those charmers opposite.

The Order of the Day read for the House resolving itself into committee on the Customs' Duties Acts.

On the motion that the Speaker do now leave the Chair,

Viscount *Howick* said, that the attention of the House had been already so much occupied, and for such a length of time, that perhaps it would be more convenient for the House if he were to postpone his resolution for the present, and bring it on again the next evening on which the House went into committee upon the tariff.

Major *Vivian* rose to move "for any additional details which may have been supplied by Mr. Meek to the Government, relative to the importation of agricultural produce, salt provisions, &c., or any passage or passages which may have been suppressed." He said he feared, that after the conduct of the noble Lord who had just sat down, he might not be considered in strict order in pressing the motion of which he had given notice. Nevertheless, he would, in a few words, state what he wished to say, and the grounds of his motion, which he hoped the House would agree to. He found, on comparing the original document with the report laid upon the Table of the House that certain passages had been suppressed in the latter, particularly some statements of Mr. Meek with reference to the contract prices of salt meat and the expense of importation. With reference to these additional details at pages 49 and 50 of Mr. Meek's report, the original document went on to state, that "the last contract prices for navy beef were, per tierce, 7*l.* 5*s.* 4*d.*; pork, 7*l.* 3*s.* 6*d.*" And this statement was wound up by one which, as coming from the head of the victualling department in the navy, was one which was entitled to very serious consideration; that statement was the following:—

> "As the Hamburg salt meat is so much cheaper than the Irish, and equally as good in every respect, it may become a question for consideration, whether a portion of Hamburg meat, as a measure of economy, shall not, upon payment of a 12 per cent. duty, be permitted to be tendered when the salt-meat contracts are arranged next summer."

It was thus fully admitted, that the meat could bear the duty, and still afford a sufficient profit. The difference between the contract prices in this country, and those which might be concluded at Hamburgh, was then thus stated:—

English contract for beef, per tierce	£7	5	4
Hamburgh, including freight and all other charges . . .	4	8	0
	£2	17	4
Deduct duty . . .	0	12	0
Difference	£2	5	0

And then as regarded pork:

English contract . . .	£7	3	6
Hamburgh ditto . . .	4	11	0
	2	12	6
Deduct duty . .	0	12	0
Difference . . .	£2	0	6

The tierce being 304 lbs., of 12 stone, it followed, that including duty and all other charges. Hamburgh beef could be had in our markets under 4*d.* per lb. If the whole of this report had been given, he believed that the consequences would have been a very strong protest from the agriculturists against the measure now submitted to the House. It would only have been fair to have given the report entire and unmutilated, while his conviction was, that upwards of twelve pages of the report had been suppressed. If the case had been more fairly stated, he thought that the consequences would have been most disadvantageous to the Government. There was, he observed, a difference in the paging of the two documents, which could not be properly accounted for, and he thought that there existed a necessity for giving the document in full before going into committee upon the tariff. The hon. and gallant Member concluded by proposing his motion.

Lord *Worsley* seconded the motion. It was a matter of the utmost importance that all details of the information received should be laid before them. It was most notorious that there had been considerable panic among the agriculturists, and if the whole of the details on which the Government had, in part at least, grounded their measure were not to be made public, he believed that that panic would be increased. It would be supposed that they were discussing a question on information, the whole of which they were not possessed of, or, at least, which they were not quite sure they possessed in as correct a state as it could be given to them. He thought that it would only be doing justice to the agriculturists to give their members the whole of the information possessed by Government. He trusted that they would not be asked to decide upon the question, without having the information which, whether it might be valuable or not—and that was a question he was not called upon to decide—it was yet clearly their right to be in possession of. For these reasons he would support the motion of the hon. and gallant Member.

Mr. *Gladstone* said, that he was really at a loss to discern the great importance which the hon. and gallant Gentleman opposite seemed to attach to the subject of his motion if he were to judge from his bringing it forward, as he did, at the moment when the House was on the eve of going into committee upon such an important and extensive subject as that now under its notice. He trusted, however, that the agriculturists would be alive to the importance and the gigantic nature of the effort which was now being made by the hon. Gentleman to shield them from impending ruin. But trifling as he conceived the nature of the motion to be, he must ask the House to negative it, because in cases in which Gentlemen were sent confidentially by a Government for the purpose of collecting certain information, it rested, as he conceived, with that Government to determine what part of that information should be reserved for their own use, and what portion of it should be laid before Parliament and the public, provided, of course, it were so done as not to produce false impressions. He never heard that there could be a doubt upon such a question. In the volumes which they had seen laid upon the Table of the House of confidential communications from ambassadors, governors of colonies, and other functionaries, it was a matter of course that there should be a power of selection vested in the Government. But he did not now require to claim the exercise of this right to withhold information. He had now come to his second objection to the motion, an objection which was founded upon the fact that there had really been no suppression and no omission of any information whatever; there was merely an omission of certain *pro formâ* bills, invoices of shipping corn, &c., which were not information, but merely hypothetical, and to a certain extent, arbitrary invoices or arrangements in the form of invoices, of the information contained in other parts of the report; there was also certainly the omission of the name of a party who had furnished certain information with respect to the trade of Hamburgh, and whose wish it was, that his name should be suppressed; that wish had been complied with; his name had been suppressed, but his information had been fully given. Reference had, however, been further made to some statements regarding salt meat in Hamburgh, which had been struck out, and which it was now, on the part of Government, refused to supply. If hon. Gentlemen who happened to have a copy of Mr. Meek's report would turn to the forty-ninth page, they would find some statements relative to the terms at which salt meat could be supplied at Hamburgh. The prices of pork and beef were there given, and it was stated at what prices these provisions could be obtained for navy contracts. Mr. Meek, after giving the information in question, acting not so much in the capacity of a commissioner of inquiry as the head of the victualling department of the navy, made a very proper allusion to the prices at which the navy contracts had been concluded during the last year, and he concluded by asking whether it would not be worth while that Hamburgh meat should be received for the navy after the payment of the necessary duties. Such was the nature of the passage omitted, and the reason of its being left out was, that it belonged to the administration of Mr. Meek's department, and was irrelevant to the subject of his inquiry. At the same time, he did not mean to say, that any positive mischief would have resulted from its insertion, and it was a matter of but little consequence originally, either one way or the other. The navy contracts were no secret, and the hon. and gallant Member might very easily, if he chose, ascertain at what prices provisions were purchased under these contracts by moving for their production. As regarded the difference in the paging of the two documents, it had merely arisen from a difference in the type in which they had been printed. He objected, then, to the motion before the House, both in the abstract, because he thought that the Government had a right to withhold, according to their judgment, any parts of confidential statements: and, on the other ground, because no information had in the present case been suppressed, but every detail and particular information which Mr. Meek had stated had been fully and immediately supplied to the House.

Mr. *M. Attwood* thought that the House ought to have before it as much information as possible on the subject which was before them. If they left this branch of trade to itself, to the natural operations of supply and demand, they would find that the evil would soon cure itself. That had happened on former occasions, and they would find that the price would be reduced without any occasion for Legislative interference. He thought in discussing a question of this kind the House were bound to examine every part with the most scrupulous anxiety. If it was shown that any information was withheld that ought to be given, he would support any motion for giving to the House the fullest opportunity of examining this question.

Sir *R. Peel* said, as the House is now somewhat more full than when I made my statement at an earlier part of the evening I will refer to what I then stated. I stated what was the fact, that for several recent years a gradual advance had taken place in the price of provisions. I took the year 1835, when I said distinctly that the price of meat and pork was at its lowest point, and I showed that from 1835 to 1840, a progressive increase of price had taken place—I stated that at the same time a considerable increase had taken place in the price of cattle imported from Ireland. I stated, that taking the prices at Greenwich Hospital in 1840, as compared with 1835, the difference of price in meat alone made a difference in the cost of that establishment for that year of not less than 4,000*l.* I then took the price of provisions in France and Belgium and this country, and I argued, from the gradual and progressive advance in the price of provisions in those countries that there were no grounds for the apprehensions that were entertained in some part of the country, that the price of cattle would be materially lessened by importation from those countries. With respect to Holstein and Jutland, I admitted that there might be some supply, but that there was no probability of such an increase as would have any serious effect on the price of provisions in this country—seeing that within the last six years, notwithstanding the facilities afforded by steam navigation, the prices of meat in most of the public establishments had progressively increased during each of these years. Seeing that this had taken place, I stated that I thought the time was come when competition with respect to live animals and meat might be safely permitted. This was the statement which I made to the House with respect to this part of the subject. Now, with respect to the particular motion before the House, I must say, that there must have been somewhere or other a gross breach of trust. These papers were printed solely for the use of the Government. The whole of the material information was extracted from them, and given to the House. So much was this the case that it might be remarked that Mr. Meek was never alluded to, and the measures proposed by the Government were at variance with the information furnished by Mr. Meek. But supposing that those papers, containing information procured by a servant of the Government for the service of the Government, contained information given by an individual, who said, that he would communicate all the information in his power, but he did not wish to have his name made public. Supposing this to be the case, does the House think that it would have a right to compel the Government to disclose the name of that individual. The Government gave the House all the information they possessed; they gave the House all the facts; and as to the suppression of particular passages, the charge is altogether without foundation. We gave you the prices of meat at Hamburgh —we gave you the prices taken for the navy contracts—we gave you everything material—but a gentleman officially connected with the Victualling Office makes an observation with respect to the expediency of taking the contracts for the navy from other countries; and does the House think that we ought to give this communication, intended for the Government alone? Well, then, take the case of an individual supplying information for the use of the Government, requesting that his name might not be disclosed. Would it not, I ask, be a breach of all confidence to disclose the name of that individual. We have given you all the information with reference to the tenor of the measures we have proposed. We have given you the price of the contracts, and you may have the navy contracts if you think it necessary; but I think it would be going too far, when a gentleman connected with the Victualling Office makes a suggestion to the Government, that the Government should be called upon to communicate that information to the House. There is the other case of an individual communicating information to the Government, under the assurance that his name will not be disclosed, and I say that if the House compels us to give this information there is an end to all confidence. We have withheld nothing in the shape of information contained in the report of Mr. Meek. We have given you all the facts. In the exercise of our discretion we have withheld particular passages, which I maintain we were justified in doing, I say, then, considering that there has been a gross breach of confidence on the part of somebody in giving to the hon. Member information intended for the Government, I trust that the House will not compel the Government to give information that has been so presented to them.

Lord *J. Russell:* If the motion now made were calculated to produce public inconvenience, I should not support it. The right hon. Gentleman the Vice-President of the Board of Trade alludes to the case of public despatches. Undoubtedly, if the production of the despatches were detrimental to the public service, I should be satisfied with that avowal, without asking for a further ground of refusal. In like manner, when it was urged that divulging the name of a gentleman who had given information to an officer of the Government was a breach of trust, and that difficulties would be thereby thrown in the way of communications hereafter to be made, I think that a sufficient ground for not producing this gentleman's name, and, of course, my hon. and gallant Friend will not press for its production. But with respect to the information which my hon. and gallant Friend chiefly calls for, I think, in refusing its production, he has taken away the reasons for not divulging it. "No public inconvenience," says the right hon. Gentleman—"No injury can possibly flow from its production." Then the question reduces itself to this—the Government having thought fit to lay these papers on the Table of the House, and not confining them to their own cognizance, should they not be asked to produce facts which are suspected to be important, and which are of a strictly statistical nature. The right hon. Gentleman (Sir R. Peel) says, that the Government has laid before the House all that it is important it should know; but, according to his own statement, Mr. Meek, who is at the head of the victualling department, and therefore the most competent judge, drew certain inferences from the prices which he found to exist, and which were to this effect:—"If such and such provisions were bought for the navy, might they not be supplied in a better manner?" If such is not the tenor of the gentleman's observations, I think it clearly better that the observations themselves should be produced; because the position which he holds under the Government renders his opinion most important. Be it of little or great importance, however, it is of a statistical kind; it refers to the general question. Of the price of provisions, it does not contain any secrets by the publication of which the public service would be at all injured, and it ought therefore, in my judgment, to be produced. I do not impute any blame to the Government for having excluded this matter from their first report. It may have struck them as not important with regard to the subject to which it refers, but being once called for, I do not think there should be any hesitation concerning its production.

Mr. *S. Wortley* said, he could not help expressing his surprise that, at the moment when they were engaged about matters of the greatest and gravest importance, they should be interrupted in that paramount duty by the introduction of a topic so utterly unproductive of any information which might assist them in their present inquiry. They were called on by their constituents to address themselves with all convenient speed to the adjustment of commercial regulations of great and solemn interest to the whole population of the country; instead of which the hon. and gallant Member now invited them to employ their time in fighting with a shade. For his part he was perfectly satisfied with the explanation of the reason for not producing the whole of the document offered by the right hon. Baronet, and persuaded that nothing had been withheld which would enable them to come to a proper decision upon the question before the House. For this reason, therefore, he could not give his support to the motion.

Sir *G. Grey* admitted that an unnecessary delay had taken place; but it was on account of the refusal of the Government to give information which would enable the House to come to a right decision upon this subject. The whole blame—if blame there were—rested on the right hon. Gentleman, who resisted a reasonable proposal, which his hon. and gallant Friend thought essential to the proper discussion of the question on which they had entered. If the suppressed part of the report were immaterial, why not allow the House to judge of the fact? But he must say, it was establishing a dangerous precedent, that the right hon. Gentleman the Vice-President of the Board of Trade should say, "The facts you ask for I have seen, and they are, in my opinion, immaterial; and therefore it is unnecessary to divulge them." Such an announcement tended, undoubtedly, to establish the omnipotence of the Government, but not at all the omnipotence of Parliament.

Lord *Stanley* agreed with his hon. Friend the Member for the North Riding of Yorkshire, that a great deal of time had been lost in discussing this subject, and he must add that the right hon. Gentleman opposite had exhibited much unnecessary warmth in refuting imputations supposed to be thrown on the opposite side of the House. He admitted, that the paper was perfectly immaterial; but it was confidential and irrelevant. All the real information which the Government received from Mr. Meek they produced, and laid before the House. The noble Lord (Lord John Russell) admitted they were not to blame for omitting this suggestion, which had been called for, from their report. The passages on which the Government was charged with suppressing information, contained a suggestion of Mr. Meek for the conduct of his own department, and also the name of the gentleman who had communicated some information. The report before the House gave the price of the meat, the freight, and every possible information which could be deemed material. But Mr. Meek wrote, on this fact, a sort of private commentary, "Would it not be wise if Hamburgh provisions were resorted to for victualling our navy?" It would be establishing a dangerous precedent to accede to the motion before the House. In consequence of a breach of confidence on the part of some servants of the Government, the hon. and gallant Member had become possessed of the contents of part of a document, and then he thought it consistent with his duty, as a Member of Parliament, to come down to the House and move for the production of the original passage, a knowledge of which had been acquired by such means. The passage in itself was immaterial, but the precedent sought to be established was not immaterial. If the House should insist upon the Government communicating the information, it would establish a most dangerous precedent.

Mr. *Sheil* said, it might be a bad precedent for the Government to be compelled to give information which they did not wish to disclose, and a knowledge of which had been obtained in consequence of a breach of confidence committed by some person in their employment; but it was a still worse precedent for the Government to produce a document, purporting to be perfect and complete, and to omit a passage which they alleged to be immaterial, but respecting the materiality of which the House ought to be the best judge. The Government had in this matter been convicted of a *suppressio veri*, if not of the *suggestio falsi*. The document before the House certainly professed to be perfect, and Mr. Meek's name was attached to it. It was made the foundation of a great change in the financial and commercial policy of the country, and under these circumstances, the whole of it ought to have been laid before Parliament. If the Government thought it would be prejudicial to the public service to publish certain portions of the report, that fact should have been stated in a note. As that course had not been pursued, the House was justified in insisting upon the production of the passage that had been suppressed.

Mr. *Muntz* wanted no other proof that the information sought to be obtained was important, than the fact that Minister after Minister had risen to declare that it was of no value. Hon. Members opposite were the persons most interested in the production of the document. If they chose to give up the advantages they possessed, without inquiring into the grounds upon which it was proposed that they should do so, they would have nobody but themselves to blame; though he had little doubt that when they began to suffer they would turn round upon the Members on that (the Opposition) side of the House, and attribute their misfortunes to them. He was satisfied that there was something in the passage which had been omitted, not only by the general denial of Ministers, but by the manner of the Vice-President of the Board of Trade. There was a great deal in manner.

Mr. *Christopher* was quite convinced by the candid statement of the Vice-President of the Board of Trade that the information which the hon. and gallant Member sought to obtain by his motion was of no importance whatever. He was dissatisfied with what he had already seen of Mr. Meek's reports, and wished for nothing more from the same quarter. He would vote against the motion, because its adoption would establish a bad precedent.

Mr. *J. O'Connell* said, that the hon.

Member who spoke last always professed a great desire to serve his agricultural friends, but it unfortunately happened that they never could get the benefit of his vote, which was invariably recorded in favour of Ministers. He had heard nothing which satisfied him that the information sought to be obtained was not very important, and for that reason. After having observed the course of the noble Secretary for the Colonies in that House, nothing had ever surprised him more than to hear the noble Lord deprecate a display of warmth and loss of temper upon this occasion.

Mr. *Lambton* thought with hon. Members on his (the Opposition) side of the House, that if the motion should be agreed to, the House would establish the precedent that henceforth no Government whatever would be justified in withholding information from the House. He could not help thinking that if the late Government had been in power they would not have maintained the doctrine which they were now endeavouring to establish. There was one circumstance which threw suspicion and discredit upon the motion; the information of the hon. and gallant Mover must have been obtained by a gross breach of confidence. The House had received no explanation upon that point; but they ought to be informed of the mode in which the hon. and gallant Member obtained his information.

Viscount *Sandon* asked the hon. and learned Member for Bolton (Dr. Bowring), as we understood, whether the late Government had printed his reports in the form in which they had been presented to them.

Mr. *Miles* declared his intention of voting for the motion. The House ought to look to something more than the mere party speeches on each side; they should consider what the public would think upon the occasion; and if they believed that no government interest would be compromised, they should insist upon the production of the information.

Mr. *C. Wood* said, the question which his noble Friend the Member for Liverpool had put to the hon. Member for Bolton was formerly proposed to the Ex-secretary for Foreign Affairs, upon which occasion Lord Palmerston avowed that certain portions of the hon. Member's reports had been withheld because it was considered that their publication would be prejudicial to the public service. No such reason had been assigned upon the present occasion. The only ground upon which the production of the information was resisted was, that it was not material. He protested against the Government taking upon themselves to determine what information it was or was not material for the House to be in possession of.

Mr. *Shaw* deprecated the waste of valuable time which had been caused by the motion.

Major *Vivian* said, he had derived his information from a person in no respect connected with the Government, and it was probable he had acquired the page of Mr. Meek's report through the carelessness of the head of one of the departments. [*Cheers.*] He did not understand the meaning of that cheer. He repeated that the person who had furnished him with the information had become possessed of it without any breach of confidence on his part.

The House divided on the question that the Speaker do now leave the Chair:—Ayes 219; Noes 152: Majority 67.

List of the AYES.

Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Ackers, J.
Acton, Col.
Adderley, C. B.
Alford, Visct.
Allix, J. P.
Ashley, Lord
Astell, W.
Bagot, hon. W.
Bailey, J.
Bailey, J. jun.
Baillie, Col.
Baillie, H. J.
Baird, W.
Balfour, J. M.
Baring, hon. W. B.
Barrington, Visct.
Bell, M.
Beresford, Capt.
Beresford, Major
Bernard, Visct.
Blackburne, J. I.
Bodkin, W. H.
Boldero, H. G.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Brooke, Sir A. B.
Brownrigg, J. S.
Bruce, C. L. C.
Buller, Sir J. Y.
Burrell, Sir C. M.
Campbell, Sir H.
Campbell, A.
Cardwell, E.
Cholmondeley, hn. H.
Christopher, R. A.
Chute, W. L. W.
Clayton. R. R.
Clements, H. J.
Clerk, Sir G.
Clive, hon. R. H.
Cochrane, A.
Cockburn, rt. hn. Sir G.
Collett, W. R.
Compton, H. C.
Conolly, Col.
Coote, Sir C. H.
Corry, rt. hon. H.
Courtenay, Lord
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.
Denison, E. B.
Divett, E.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douro, Marquess of
Duffield, T.
Duncombe, hon. O.
East, J. B.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord

Escott, B.
Estcourt, T. G. B.
Farnham, E. B.
Fellowes, E.
Ferrand, W. B.
Filmer, Sir E.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Forster, M.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt.hn.W.E.
Gordon, hn. Capt.
Gore, M.
Gore, W. O.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Greenall, P.
Greene, T.
Grimsditch, T.
Grimston, Visct.
Grogan, E.
Halford, H.
Hamilton, C. J. B.
Hamilton, J. H.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Hardy, J.
Heneage, G. H. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hill, Sir R.
Hillsborough, Earl of
Hodgson, F.
Hope, hon. C.
Hornby, J.
Ingestrie, Visct.
Irton, S.
Jackson, J. D.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Johnstone, H.
Jones, Capt.
Kelburne, Visct.
Kemble, H.
Knatchbull, rt. hon. Sir E.
Knight, H. G.
Lambton, H.
Lascelles, hon. W. S.
Law, hon. C. E.
Legh, G. C.
Leicester, Earl of
Lindsay, H. H.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. General
Mackenzie, T.
Mackenzie, W. F.
M'Geachy, F. A.
Mahon, Visct.
Manners, Lord C. S.
Manners, Lord J.
Marsham, Visct.
Martin, C. W.
Marton, G.
Master, T. W. C.
Masterman, J.
Maunsell, T. P.
Miles, P. W. S.
Milnes, R. M.
Mordaunt, Sir J.
Morgan, O.
Morgan, C.
Mundy, E. M.
Murray, C. R. S.
Neeld, J.
Neville, R.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Ossulston, Lord
Packe, C. W.
Pakington, J. S.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Plumptre, J. P.
Pollock, Sir F.
Price, R.
Pringle, A.
Rashleigh, W.
Reade, W. M.
Reid, Sir J. R.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rushbrooke, Col.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scott, hon. F.
Seymour, Sir H. B.
Shaw, rt. hon. F.
Sheppard, T.
Sibthorp, Col.
Smith, A.
Smythe, hon. G.
Somerset, Lord G.
Stanley, Lord
Stanley, E.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Thompson, Mr. Ald.
Tollemache, J.
Tomline, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trotter, J.
Turnor, C.
Tyrell, Sir J. T.
Vere, Sir C. B.
Verner, Col.
Vesey, hon. T.
Vivian, J. E.
Waddington, H. S.
Wakley, T.
Wilbraham, hon. R. B.
Wood, Col.
Wood, Col. T.
Wortley, hon. J. S.
Wyndham, Col. C.
Yorke, hon. E. T.
Young, J.

TELLERS.

Baring, H.
Fremantle, Sir T.

List of the NOES.

Acheson, Visct.
Aldam, W.
Archbold, R.
Bagge, W.
Bankes, G.
Bannerman, A.
Barclay, D.
Baring, rt. hon. F. T.
Baskerville, T. B. M.
Bell, J.
Bellew, R. M.
Berkeley, hon. C.
Berkeley, hon. G.
Bernal, R.
Blackstone, W. S.
Blake, Sir V.
Bodkin, J. J.
Bowring, Dr.
Brotherton, J.
Buck, L. W.
Bulkeley, Sir R. B. W.
Buller, E.
Busfeild, W.
Byng, G.
Cavendish, hon. G. H.
Cayley, E. S.
Chapman, B.
Chetwode, Sir J.
Childers, J. W.
Clements, Visct.
Cobden, R.
Colborne, hn.W. N.R.
Colville, C. R.
Cowper, hon. W. F.
Craig, W. G.
Curteis, H. B.
Dawson, hon. T. V.
Dennistoun, J.
Dickinson, F. H.
Drax, J. S. W. E.
Duff, J.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Dundas, Admiral
Dundas, F.
Easthope, Sir J.
Ebrington, Visct.
Ellice, E.
Ellis, W.
Esmonde, Sir T.
Evans, W.
Ferguson, Col.
Ferguson, Sir R. A.
Fitzroy, Lord C.
Fox, C. R.
French, F.
Gibson, T. M.
Gill, T.
Gordon, Lord F.
Gore, hon. R.
Granger, T. C.
Greenaway, C.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hatton, Capt. V.
Hay, Sir A. L.
Hayter, W. G.
Heathcote, G. J.
Heneage, E.
Henley, J. W.
Heron, Sir R.
Hill, Lord M.
Hollond, R.
Howard, hn. C. W. G.
Howard, Lord
Howard, hon. E.G.G.
Howard, P. H.
Howard, hon. H.
Howick, Visct.
Hume, J.
Humphery, Mr. Ald.
Johnston, A.
Knight, F. W.
Labouchere, rt. hon. H.
Langston, J. H.
Leader, J. T.
Listowel, Earl of
Macaulay, rt. hn. T. B.
M'Taggart, Sir J.
Maher, V.
Mangles, R. D.
Marjoribanks, S.
Marshall, W.
Martin, J.
Miles, W.
Mitcalf, H.
Morris, D.
Muntz, G. F.
Murphy, F. S.
Murray, A.
Norreys, Sir D. J.
O'Brien, W. S.
O'Connell, M. J.
Ogle, S. C. H.
Palmer, R.
Parker, J.
Pechell, Capt.
Philips, G. R.
Plumridge, Capt.

Pryse, P.
Pulsford, R.
Pusey, P.
Rawdon, Col.
Redington, T. N.
Roche, E. B.
Rumbold, C. E.
Rundle, J.
Russell, Lord J.
Scholefield, J.
Scrope, G. P.
Seymour, Lord
Sheil, rt. hon. R. L.
Smith, B.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Stansfield, W. R. C.
Stanton, W. H.
Stuart, W. V.
Strutt, E.
Talbot, C. R. M.
Tancred, H. W.
Thornely, T.
Traill, G.
Trollope, Sir J.
Troubridge, Sir E. T.
Tufnell, H.
Turner, E.
Villiers, hon. C.
Vivian, J. H.
Vyvyan, Sir R. R.
Wall, C. B.
Ward, H. G.
Watson, W H.
Wawn, J. T.
White, H.
Williams, W.
Wilshere, W.
Winnington, Sir T. E.
Wood, B.
Wood, C.
Wood, G. W.

TELLERS.
Vivian, Major
Worsley, Lord

House in committee *pro formâ*. Resumed.—Committee to sit again.

Poor Laws.] Mr. *T. Duncombe* had asked the right hon. Baronet the Secretary for the Home Department, on the 21st of February, at what time it might be expected that the Poor-law Bill would be introduced into the House; and he had received an answer that the measure would be brought in immediately after Easter. That measure had not as yet been brought under the consideration of the House. In two months the Poor-law commission would expire: if this bill were postponed until after Whitsuntide, there would only be a month or six weeks during which it could be considered by the House and by the country. The measure would, of course, make very considerable alterations in the law, and it was right that the country should have time to consider its provisions. He hoped, therefore, that as no long discussion was likely to be required upon the introduction of the bill, the right hon. Baronet would take steps to secure the early attention of Parliament to this important subject.

Sir *James Graham* said, that the hon. Member had misunderstood a portion of the answer which he had given on a former occasion, in reference to his inquiry. He had certainly stated, that it was not his intention to bring the subject before the House, until after Easter, but he did not recollect that he had accompanied that statement by any intimation involving an immediate necessity for the introduction of that measure. He had, however, promised to give the hon. Member an intimation when the subject would be brought forward. He had hoped to be able to bring the question before the House previously to the Whitsuntide holidays; but, unless he received the sanction of the House to take the matter out of its turn, he feared he should not be able to do so. To-morrow the orders of the day had precedence of notices of motion, and, unless this arrangement was altered, he should not be able to move the introduction of the bill during this week. Could a new course of proceeding be arranged, he should be most happy to avail himself of it, and to introduce his bill to-morrow afternoon. If he understood the House to give assent to his suggestion, he would undoubtedly avail himself of the opportunity which presented itself; and, he would, therefore, postpone the motion which stood on the paper for this evening, and would to-morrow move for leave to bring in a bill for the amendment of the Poor-law.

Subject at an end.

Shannon Improvements.] Mr. *French* stated, that at that very late hour he should content himself by putting the House in possession of the circumstances under which he sought the information relative to the improvements of the Shannon he was about to move for. The commissioners were about to levy off the county he had the honour to represent a sum of about 100,000*l.* for works that county had never sanctioned, and for an expenditure over which they had no control. By their applotment of this sum, to which there was no power of objecting, the land adjoining the river, which may be relieved from floods, and the value of which may be doubled, is charged say 1*l.* per acre, whilst the land twelve or fourteen miles from the river, the traffic from which is to a seaport in an opposite direction, was to be charged 19*s.* 8*d.* per acre—proportions neither equitable nor just. The tolls which were, by an act of Parliament, made applicable to meet the expenses of the improvement of the river, were no longer to be so, and the sum to be supplied by them was to be defrayed by the counties—who, under such circumstances, were at least entitled to the fullest information of the principle under which they were to be taxed. The hon. Member moved for the following returns:—

"Return, showing the principle upon which the commissioners for the improvement of the Shannon have proceeded in estimating the benefit anticipated to result to the several baronies in the county of Roscommon, from the improvement of that river and its tributaries, and what proportion of benefit is anticipated to result to the barony of Athlone, which lies along the banks of the said river, as compared with the proportion of benefit anticipated to result to the barony of Ballymore, which is at a distance from it.

"Also, a like return in respect of the barony of Boyle, as compared with the barony of Frenchpark, and of the barony of Roscommon, as compared with the barony of Castlerea, which are similarly situated.

"Return of the proportions of the sum of 10,894*l.* 11*s.* 2*d.*, levied on the county of Roscommon for the improvement of the navigation of the river Shannon, payable by each of the following baronies, viz., Athlone, Ballymore, Boyle, Frenchpark, Roscommon, and Castlerea, distinguishing the amount per hundred acres in each of these baronies, respectively.

"Also, return of the works, if any, which have been executed in the county of Roscommon by the direction of the commissioners for the improvement of the river Shannon since their appointment, and the proportion of the sum of 10,894*l.* 11*s.* 2*d.*, already levied on that county expended in such works."

Lord *Eliot* had hitherto consented to the production of all papers moved for relating to the Shannon navigation, and exceedingly regretted he could not consent to give those now sought for by the hon. Member for Roscommon. The commissioners for the improvement of the river Shannon were governed by rules laid down in an act of Parliament, by which they were bound to adhere; and it appeared to him that granting the returns sought for would not only imply that blame could be attached to the commissioners by whom the awards were decided on—a commission no longer in existence—but that it would tend very much to weaken confidence in securities given in Ireland for the advances of public money. That part of the returns which could be obtained from the treasurer of the county of Roscommon, and which related to the proportion of the applotment on the different baronies, he should not object to.

Lord *Clements* fully concurred with the noble Secretary in the inexpediency of granting the motion then before the House. The proportion of seventy-five—one settled on the county of Roscommon—was, in his opinion, if anything, too small. The advantages derivable from opening the river were incalculable, and Roscommon and Limerick were the counties which would derive most advantage from the improvement. The principle on which the commissioners acted would be found in the Library of the House, in their different reports, and appeared both just and reasonable. The motion implied distrust of the commissioners, who were, he considered, entitled to the utmost confidence. The noble Lord referred, at some length, to the different calculations of the commissioners, to show the length of navigation and other advantages which were to accrue to the county of Roscommon from the improvement of the river and its tributaries.

Mr. *Ormsby Gore* wished to know on what principle the county of Sligo, which was separated from the Shannon by the Curlew mountains, and which never could derive the slightest advantage from the improvement of that river, was to be taxed 5,000*l.* by these commissioners. He supported the motion of his hon. Friend the Member for Roscommon.

Mr. *French*, in reply, should not detain the House by referring to anything which fell from the noble Lord, the Member for Leitrim. His speech had no reference whatever to the two points before the House. If, as the noble Lord stated, Roscommon was not charged sufficiently, the commissioners had not faithfully discharged the duty entrusted to them; but he was, if necessary, prepared to prove that that county had been much overrated. The first point contended for was, that it was proposed, in violation of a pledge given by both Houses of Parliament, to deprive the counties bounding the river of the assistance of the tolls in defraying the instalments for its improvement. The navigation of the Shannon, from time immemorial, was vested in the Crown, for whose use the tolls were annually received. Various improvements were, from time to time, made in its navigation, such as removing accidental obstructions, forming lateral canals to avoid the vessels—all of which were executed at the public expense. As the powers of steam were developed, it was considered most desirable that improvements on an extended scale should be effected, so that vessels of a certain size might ascend from Limerick to Lough Allen. Plans, surveys, and estimates were prepared by Mr. Grantham, Mr.

Rhodes, and others, at the public expense; commissioners reported, and a committee of this House was appointed to inquire into the state of the river; all concurred in declaring the proposed improvements to be both desirable and necessary—"a national work, to be executed by national means." In 1835 the then Chancellor of the Exchequer (Mr. Spring Rice) introduced the bill, which was now the 5th and 6th William 4th, chap. 67, by which, contrary to the recommendations of every party—contrary, he contended, to every principle of justice and policy—it was enacted that the improvement of a river the property of the Crown should not be effected at the public expense. The sum required was 600,000*l.*, one moiety of which was to be a free grant: so it was ridiculously termed in the act. The other moiety (300,000*l.*) to be repaid by twelve half-yearly instalments out of the tolls; should those tolls prove insufficient, the deficit to be made good by the counties and districts adjoining. Taking into consideration that of this sum of 300,000*l.*, repayable from the tolls, 50,000*l.* was to be defrayed by the sale of mill-sites and other properties, to be vested in the commissioners—that the value of the fisheries must be considerable, and that the amount of toll on 230 miles of navigation could not be trifling (the commissioners afterwards estimated them at upwards of 30,000*l.* a year), 20,000*l.* of which, at the least, might be appropriated towards the payment of the instalments—he considered the liabilities to which the counties were subjected trifling, if any; and he did not feel himself justified in doing more than entering his protest against the principle of declaring those districts liable to any portion of the payment for works to be executed on the property of the Crown, and from the improvement of which the public would derive important advantages. The commissioners were appointed under this act solely to inquire and determine the proportion to be borne by the several counties and districts, should the surplus tolls not prove adequate to pay the required instalments. This they were fully aware of; in their second report they recite the preamble of the 5th and 6th of William 4th; twice they admit themselves to be bound by it, but they do not adhere to it. They think differently from Parliament, and it appears theirs are the views to be carried into operation. Under the 13th and 44th sections of the 2nd and 3rd of Victoria, c. 61, in which no mention is made of the tolls, the moiety of the sum is to be duly levied off the counties. No credit is to be given for the tolls which are to continue public property, and to be appropriated as Parliament shall direct. Under this plan about 100,000*l.* is to be levied off Roscommon, 50,000*l*, off Leitrim, 50,000*l.* off Galway by compulsory presentments. So doing was, he contended, as far as the counties were concerned, a breach of public faith. The commissioners state that, from the perfecting of the Shannon navigation under the system already approved of, the public will be amply remunerated for the advance of the funds required for the works by the great increase of internal traffic which must follow their completion; and in determining the proportions to be contributed by the districts, should the tolls prove inadequate, the very nature of the improvements will manifestly lead to an increased value of the neighbouring properties, and that in their opinion a considerable portion of the necessary outlay should be provided from private funds or baronial assessment. On this principle they have acted in respect of piers—on this principle they professed they were about to act with regard to other improvements. They prepared a table to show how their assessments were to be made:—

Counties to be assessed.	Baronies to be assessed.	Proportions to be assessed off county at large.	Proportions to be assessed off Baronies.
Tipperary	Upper and Lr. Ormond....	2	2
King's County	Garrycastle	1	1
Clare........	Tullagh	1	1
*Galway	Leitrim and Longford ..	2	2
*Roscommon..	Moycarn, Athlone, and Roscommon	2	2

* Westmeath and Longford in the same manner.

This was a perfectly intelligible principle; the amount distributed generally over the country at large, particularly over the baronies, to be specially benefitted. The principle on which the commissioners at present act, is perfectly unintelligible: all are to be charged alike. In their second report they justify their proposed levy of a higher rate on the adjoining districts, by the peculiar benefit they derive, and by saying their inhabitants will receive in wages double the amount in which their districts are assessed, by which the labourers, landholders, and landowners will be mutually benefitted: arguments which can have no reference to the remote districts which they now propose shall bear an equal proportion of the proposed taxation. Notwithstanding the praise bestowed by the noble Lord on public boards, he was still of opinion that it was expedient that their proceedings should be strictly scrutinised. He found, by an account of certain sums entrusted to the commissioners of public works for the relief of the peasantry on the coast of Donegal, in the spring and summer of 1836, that a sum of 300*l.* 0*s.* 8*d.* had been supplied by the Lord-lieutenant and the Ballinglass committee for this purpose; that the expenses incurred by four of their staff in travelling, reporting, and distributing meal absorbed 200*l.* 0*s.* 8*d.* of this sum; under the awards of the Shannon commissioners he found the case of the Limerick navigation, extending a short distance from Limerick to Killaloe, for which that company paid, a few years previous, the sum of 3,000*l.* They were limited by their act from dividing more than 10 per cent. on this capital; this dividend they made, but had they discharged their debts they could not have done so. The Shannon commissioners purchased their interest for 6,000*l.*, a sum double what the company had paid for it, in addition to which they gave them a further sum of 6,227*l.* 18*s.* 7*d.* to pay off their debts and incumbrances, the interest of which ought to have been valued and deducted from their award, in place of being added to it; in addition to this they relieved them from the liability to the repayment of 14,656*l.* 13*s.* 4*d.*, due by them to the Board of Works, for money borrowed on the security of the navigation, making in all a sum of 26,884*l.* 11*s.* 11*d.*, for a navigation which had been purchased for, and which could not be considered, taking their liabilities into account, worth more than 3,000*l.*; half of this enormous sum is to be levied by compulsory presentment off the neighbouring counties. The hon. Member concluded by stating he would content himself by limiting his motion to the return which had been conceded by the noble Lord the Secretary for Ireland.

Return ordered.

Adjourned.

HOUSE OF LORDS,

Wednesday, May 11, 1842.

MINUTES.] BILLS. *Private.*—2^{a} Northern Union (Newcastle and Darlington Junction) Railway.

3^{a}· and passed:—Huish Champflower, etc. Inclosure; Gosport Pier; London and Blackwall Railway; Great Torrington Market; Kirkintilloch Roads; Liverpool Paving and Sewerage.

Adjourned.

HOUSE OF COMMONS,

Wednesday, May 11, 1842.

MINUTES.] BILLS. *Public.*—1^{o}· Poor-law Amendment.

Reported.—Salmon Fisheries (Scotland), (No. 2); Fines and Recoveries (Wales and Cheshire); Pentonville Prison.

Private.—*Reported.*—Liverpool Health of the Town and Buildings Regulation; Guarantee Society; South Metropolitan Gas; Drogheda Harbour.

3^{o}· and passed:—Norwich and Yarmouth Railway; Warwick and Leamington Railway.

PETITIONS PRESENTED. By Mr. Roebuck, from Brighton, for the Disfranchisement of that Borough.—By Sir J. Easthope, from the Coffee-house Keepers of the Metropolis, for the Reduction of the Duty on Foreign Sugar.—By Sir H. Douglas, Lord Sandon, and Sir John Hanmer, from York, St. John's, and Miramichi, in New Brunswick, against the proposed Alteration of the Timber Duties.—By Mr. J. Young, from Bellasis, for an Amendment of the Marriage Law as affecting Presbyterians in Ireland.—By Sir T. D. Acland, and Lord Sandon, from places in Yorkshire, for a Ten Hours Factory Bill.—By Mr. T. Duncombe, from Merchants of London, against the Importation of Foreign Labourers into the West India Colonies.—By Mr. M. Phillips, from Manchester, and Bristol, for the Repeal of the Duty on Attornies Certificates.—By Mr. Hume, from Southwark, and St. Leonard's, Shoreditch, for the Redemption of the Tolls on the Metropolitan Bridges.—By an hon. Member, from Kingston-upon-Hull, that the Alteration in the Timber Duties may take place not later than 5th July next.—By an hon. Member, from Chesterfield, and Bury St. Edmunds, for Equality of Civil Rights.—By Mr. Villiers, from the Workpeople of two Silk Factories in Leek, from Cripplestile, and Stoke Abbot, in Dorsetshire, from Stanstead Mountfitchett, in Essex, and from the people navigating the river Weaver, in Cheshire, against the Corn and Provision Laws.—From Killesk, for a New Valuation of Land in reference to Tithes.—From J. Henry, praying that all persons who pay the Income-tax shall have a Vote in the Election of Members of Parliament.—From Owners of Fishing Vessels on the Norfolk, Suffolk, and Yorkshire Coasts, complaining of the heavy Duty payable on Herrings Imported into Naples.—From Newport (Monmouth), and Chepstow, against the Removal of the Packet Establishment from Milford.—From Doncaster, Tadcaster, Bolton-le-Moors, and other places, against the Turnpike Roads Bill.—From Tamlaght Ard, for Alteration of the present System of Education (Ireland).—From the Chairman of a Meeting in the Old Bailey, against the Property Tax.—From Sutton, for Alteration of the Poor-laws.

NEWCASTLE-UNDER-LYME ELECTION.] Sir *J. Y. Buller* reported from the select committee appointed to try the merits of the petition against the return of John Quincey Harris for the borough of Newcastle-under-Lyme,

"That John Quincey Harris, esquire, was not duly elected a Burgess to serve in this present Parliament for the Borough of Newcastle-under-Lyme.

"That the last Election for the said Borough, so far as regarded the Return of John Quincey Harris, esquire, was a void Election.

"And the said Determinations were ordered to be entered in the Journals of this House.

"House further informed, that the Committee had come to the following Resolutions:

"That John Quincey Harris, esquire, was by his Agents guilty of Bribery at the last Election for the Borough of Newcastle-under-Lyme.

"That it has been proved before the Committee, that John Tabbernor was bribed with 5*l.*, William Follows with 3*l.*, John Follows with 3*l.*, paid to his wife for him, and Joseph Follows with 2*l.* 15*s.*, paid to his daughter for him, by Thomas Mayers.

"That Thomas Gallimore was bribed with 4*l.*, and Daniel Pickerill with 4*l.*, by Thomas Conyers.

"That Thomas Hassell was bribed with 8*l.*, and Henry Harrison with 3*l.*, by Edward Leech.

"That such bribes were given to each of them to vote for Mr. Harris:—And that it further appear that in most of these cases a small sum by way of commission was retained out of the said sums by the briber.

"That no evidence was given to show that these acts of Bribery were committed with the knowledge and consent of John Quincey Harris, esquire.

"That from Evidence taken before the Committee it appears, that a most objectionable practice has existed for many years, and still prevails in the Borough of Newcastle-under-Lyme, of distributing money, under the appellation of "Market Money," "Finner Money," or some other local term, to the poorer voters, after the Election."

Report to lie on the Table.

GRAND JURY—DONEGAL.] Lord *Clements* wished to ask the noble Lord, the Secretary for Ireland, a question. In September last the secretary of the grand jury for Donegal was charged with forgery in the Chief Remembrancer's office. The fact being brought to the Chief Remembrancer's knowledge, he communicated with the Attorney-general for Ireland, and the question he wished to ask was, whether the Attorney-general intended to prosecute?

Lord *Eliot* said, the noble Lord having previously intimated to him the nature of the question he had just asked, he had communicated with the Attorney-general for Ireland upon the subject, and the answer he had received was to the effect that many irregularities had occurred in Mr. Spence's department in the Remembrancer's-office, but that it was the opinion of the law officers that any attempt at present to convict the party of forgery must inevitably fail.

Lord *Clements* was aware that the noble Lord was anxions to do his best in this matter, but he was not quite so sure respecting the other authorities in Ireland. The present was really an extraordinary case. The question he wished to ask the noble Lord was with respect to the decision of the Chief Remembrancer, whether he would have any objection to lay before the House the papers which had been furnished to the foreman of the grand jury of the county of Donegal, and also to the judge of assize?

Lord *Eliot* had no objection to produce the papers, but saw no advantage that would be derived from their production.

Lord *Clements* then desired to know from the noble Lord whether the secretary to the grand jury of the county of Donegal had been dismissed, or if it was the tention of her Majesty's Government to do anything towards his dismissal.

Mr. *French* said, that the Government had no power to dismiss the secretary of the grand jury.

Subject at an end.

THE NATIONAL PETITION.] Mr. *T. Duncombe* said, that when he had had the honour of bringing under the consideration of the House the National Petition, an hon. and learned Gentleman (Mr. Roebuck) had stated to the House, that that petition had been drawn up by a cowardly and malignant demagogue; and that he would name that individual were not the reptile beneath his contempt. Now, he wished to ask the hon. and learned Gentleman whether he had ascertained the real authors of that petition, and if he had, whether he intended those terms to apply to those individuals? ["Order."]

The *Speaker* said, that he thought the question which was put by the hon. Member was most irregular.

Mr. *T. Duncombe* wished to observe, in explanation of the course he had taken, that very offensive terms had been used against parties who were not present to defend themselves, and statements made by which many characters were maligned, had gone forth to the public. ["Order."]

The *Speaker* again interfered, and stated, that the hon. Gentleman was quite out of order.

Election Proceedings.] Lord *John Russell* said, that it certainly appeared to him desirable, for the regularity of their proceedings, that such questions should not be allowed to be put; and he was happy to find the Speaker had interfered on that occasion. He wished to ask a question himself of the hon. and learned Gentleman, the Member for Bath, which would be in order. The hon. and learned Member had a notice on the paper to-night for naming the Members on the Select Committee to inquire into certain Election Proceedings. The inquiry was a most important one. Upon that inquiry, the hon. and learned Gentleman proposed to found a bill of indemnity for the protection of witnesses, which would require the sanction of the other House of Parliament. The subject was, therefore, one of great importance. The question which he wished to put to the hon. and learned Gentleman was this, whether he meant to bring on his motion for appointing the committee after the other business was disposed of? It was very likely the House would at that time be very thin. Many Members might possibly object to the constitution of that committee as proposed by the hon. and learned Member; it was, therefore, desirable, that the subject should be brought forward at a time when there would be a full attendance of Members.

Mr. *Roebuck* said, that he was most anxious to consult the wishes of the House on the subject of the motion. The appointment of the committee would necessarily be a difficult and an invidious task; and he would bring the matter before the House in any way they might think desirable. Perhaps the noble Lord would himself state the time at which he wished the motion should be submitted to the House.

Lord *John Russell* considered it better, perhaps, that the right hon. Baronet opposite should state the time when he thought the House could properly entertain the question.

Sir *R. Peel* had already stated, that it was his intention to move on Friday, the adjournment of the House until the Friday following. The hon. and learned Gentleman, the Member for Bath, would thus be limited either to this day, the day after, or to Friday, in bringing forward his motion. For his part, he had no objection, that any day should be selected by the hon. and learned Gentleman which would meet the wishes of the House.

After a short conversation across the Table, the right hon. Baronet said he thought the hon. and learned Gentleman had better proceed on Friday.

Mr. *T. Duncombe* begged to give notice, that whenever the committee should be moved for, he should propose the following addition to it:—

"That it be ordered, that each Member appointed to serve on the said committee shall subscribe the following declaration in the presence of Mr. Speaker. 'I do solemnly declare, that I never, directly or indirectly, have been guilty, by myself or my agents, of any act of bribery or corruption for the purpose of procuring a seat in Parliament; that I have never paid, or promised to pay, or have ever sanctioned the payment of any sum or sums of money, beyond the legal expenses of my last, or any previous election; and that I have never at any time connived at, assisted in, or been privy to, any corrupt practices, by myself or agents, for the purpose of procuring the return of any Member to serve in Parliament.'"

Sir *Robert Peel* said, that when with a view of consulting the general convenience of the House, he did not anticipate any such discussion as would affect the progress of the tariff. The appointment of the committee was a matter of considerable importance, and he did hope the House would be spared the very disagreeable discussion, that must arise from making allusions to individual names. It was of the utmost importance, that a committee of this kind should be such as would command general confidence, not in respect merely to the individual Members composing it, but that it should be so constituted, as to obtain the general confidence as a committee of authority and weight. He never recollected an occasion of the appointment of a committee, in which it was more important that it should do so. He hoped, therefore, that some arrangement would be made, that should prevent any disagreeable discussion as to the preponderance of individuals of one political set of opinions over those of another set of opinions. It was in that hope, that he had consented to give up his right of precedence on Friday. But the amendment of the hon. Member for Finsbury would open a new field for discussion, and, therefore, he was afraid he should now entirely lose the whole of Friday in reference to public business.

Mr. *T. Duncombe* said, that he did not intend mentioning the names of any individuals, nor should he propose to add any. His only wish was that those who should be appointed to try this great and important question should go into court with clean hands. Therefore, whether the motion should be made now or another day, he should certainly move, that the words he had read, should be added to it as an amendment.

Mr. *Roebuck* said, that if it were the desire of the House, he would go on at once. ["Go on."] Then if the House were determined that he should go on, it must understand that the responsibility of any invidious discussion was not to rest on his shoulders.

Mr. *S. Wortley* said, that it would lead to a very serious discussion if the hon. and learned Gentleman were to go on now, and would interfere with a very important measure, the intention with regard to which it was desirable the public should be acquainted with.

Lord *J. Russell* said, that unless there was a general consent of the House, he did not think the subject ought to be discussed on a different day from that on which it was fixed to be brought on, and unless there was some reason to the contrary, he thought that it should be deferred till to-morrow or Friday.

Mr. *Pakington* hoped, that the discussion would be postponed till Friday, which would afford time for an arrangement to be made, as to the names of the committee.

Sir *Robert Peel* said, that so far as the appointment of the committee was concerned, he was willing, in the earnest hope that all unpleasant personal discussion would be avoided, to give up his right of precedence to the hon. and learned Gentleman on Friday next. As to the bill of indemnity, that must take its course. He could not make any engagement with reference to any other subject. except that of the appointment of the committee.

Subject to be discussed on Friday.

Poor-Law Commission.] Sir *James Graham*, on rising to move for leave to bring in a bill "To continue the Poor law commission for a time to be limited, and for the further amendment of the laws relating to the poor in England," said, since the commencement of the present Session the attention of the House has been directed to various subjects involving the interests of almost every class in the community; and in the discussion of those subjects it necessarily has occurred, inasmuch as the nature of those subjects partook of a party character, that great party conflicts have taken place, that angry feelings have been excited, that animosities and adverse interests have been brought into collision, and naturally strong feelings of bitterness have been mingled with our debates; but with respect to the important subject which it is now my duty to bring under the consideration of the House, although it is most true that it involves the interest of a very numerous class in society, yet that class is the poor, the needy, and the destitute; no angry passions, therefore, need be excited in the discussion to which I now invite you. On the contrary, the subject appeals to the compassion and to the kindly feelings of every gentleman whom I address, and I hope the House will entertain it in the genuine spirit of charity, benevolence, and good will. Nothing which shall fall from me will, I trust be calculated to disturb that spirit which I am so anxious to see maintained upon this subject. It would be superfluous for me to enter into any lengthened or detailed description of the Poor-law, as it has long existed in this country. It is the distinguishing boast of our policy that from an early period of our history the law has made provision in every parish in England and Wales for the relief of the needy and the destitute, and has taken ample precaution that none should perish from want, and that the sick, the aged, and the infirm, should be visited in their affliction, and should not be suffered to languish or die from destitution and the want of care. From an early period of the reign of Elizabeth, until within a very recent period—within the last fourteen or fifteen years—no very material alteration occurred in the machinery for regulating this relief. Speaking generally, in each parish in England there was an annual appointment by the magistrates of overseers to whom the care of the poor was entrusted: and the sole control over them in the exercise of this power was vested in the magistrates. From the reign of Elizabeth until 1819, speaking generally, this was the machinery by which relief was administered. Under that arrangement the sum required for the relief of the poor progressively and rapidly increased. From time to time the attention of the legislature was directed to the subject in consequence of the magnitude of the demand made upon the resources of the country; but little of a remedial nature was projected, and no change in the controlling power over the administration of this fund was attempted until the year 1819, when Mr. Sturges Bourne—whose name I cannot mention without offering that passing tribute of respect which is due to one who made an honest and successful effort to remedy a great public grievance. Until that year no effectual step was taken to change the hands to whom the administration of relief to the poor was entrusted. Mr. Sturges Bourne introduced a bill which became the law of the land, vesting, instead of in the hands of the overseers, in the hands of a select body called the select vestry, appointed by the magistracy, the power of administering relief. The exercise of that power still, however, continued under the exclusive control of the local magistracy. This measure was only partially adopted, and proved only a partial remedy for the growing and rapidly increasing evil of a constantly accumulating charge for the maintenance of the poor, and when I say the evil of an increased charge for the maintenance of the poor, I describe only a small portion of the evil; for, coincident with that increase, there had arisen a frightful system, quite inconsistent with the independence of the honest labourer. By various contrivances and expedients a system was introduced of eking out the amount of wages from the poor-rates, whereby the actual employer of the labourer evaded the exclusive burden of maintaining his workmen, by shifting it in a great measure from himself, and making others share the burden of maintaining the man who did not partake of the profit of his labour. So matters stood until 1831, when the Government of Lord Grey appointed a commission specially to inquire into the subject of the administration of relief to the poor, and into the extent and nature of the abuses to which I have shortly referred. That committee presented a report which will be in the recollection of all whom I have now the honour to address. I do not think I exaggerate at all the nature of that report when I state that no public document ever developed a system of more alarming evil, or of greater abuses, than is to be found in the evidence and report of that commission. At the time it was presented it commanded universal attention, and a direct remedy for such a serious evil—threatening, as it did, the property and peace of the community was generally demanded. The government of that day, upon considering the report, did not hesitate to endeavour to apply a remedy. They brought forward, on their own responsibility as a Government, a measure founded upon that report. After ample discussion, much debate, and full consideration, the measure, with some modifications which they introduced, was passed into a law. That law is now upon our statute-book; that is the law which, at the present time, regulates the relief of the poor in England and Wales. With the exception of one portion of that statute, its enactments are of a permanent character. Like every other law, those enactments are susceptible of alteration by a subsequent statute; but there is one portion of this enactment which is temporary in its nature, and it is to that portion that it becomes my duty first to direct the attention of the House; I allude, of course, to the provision which regulates and controls the local authorities by whom relief is administered in the various counties of England and Wales. It was thought expedient at the time the statute was passed into a law to limit the duration of the Poor-law commission to the period of five years, and until the end of the next Session of Parliament after the expiration of the five years. Two years ago, when that period of five years first expired, a bill was introduced by the then Government for the prolongation of the term of the commission. At that time it was thought inexpedient on account of circumstances to which it is unnecessary more particularly to advert to proceed to a full discussion of the measure so brought in, and a short continuing bill was introduced, and carried into a law. Last year a similar course was pursued, and the commission was prolonged until the 31st of July in the present year, when its powers will expire. The first subject, therefore, to which it is my duty to direct the attention of the House, is the question—whether it be expedient to prolong the existence of this commission, and, if expedient, for what length of time. It is, upon mature reflection, the intention of her Majesty's servants to propose to the House that this commission shall be renewed for a period of five years, and also until the end of the next Session of Parliament after the expiration of the five years. This is the term originally enacted for its continuance, and no circumstances which have since intervened have shaken my belief in the slightest degree, that the existence and full authority of this commission is as requisite at the present time as when the original measure first became law. [Mr. *Wakley :* "Hear."] The hon. Member for Finsbury cheers. Perhaps he will allow me very shortly to state the reason why I entertain that opinion. I know that he is complaining of the law not being uniformly administered. I know it is contended that the professed object of this commission was to secure uniformity, as it is termed, in the mode of administering relief. I must be permitted to say, that I conceive that to be an entire misrepresentation of the motives with which the commission was appointed. I cannot so well express my own view of the reasons which justified the original appointment of that commission, and which in my opinion render its prolonged continuance necessary, as by quoting, if the House will allow me, the words of one who when this measure was introduced was my Colleague, and at that time filled the situation of first law officer of the Crown. The then Lord Chancellor, on behalf of the Government, stated in a speech of remarkable ability the views of Ministers in relation to this great question. I think the House will agree with me, that the passage I am about to read is remarkable for its perspicuity and accuracy. I do not know whether those who were then my Colleagues are prepared to adopt this as an exposition of their views in appointing the commission as fully as I do; but I confess that to my mind it does convey the exact reasons which then influenced the Government in supporting this part of the measure. Lord Brougham said—

> "One part of this country may require one mode of treatment, another may require the application of different remedies; agricultural districts will stand in need of very different treatment from that which must be employed in the manufacturing and commercial places; nay, the circumstances of one agricultural parish may be so entirely different from those of another, even of one in its immediate vicinity, as to render the same course of management inapplicable to both."

I ask the House to listen to the words which follow:—

> "One uniform inflexible rule, prescribed by a statute can never be applied to these various cases, and hence the operation must be performed by a discretionary power, lodged somewhere, that the hand which works may feel its way and vary its course according to the facilities or obstructions it may encounter."

That, in my opinion, is a correct explanation of the reasons which led to the establishment of a commission with discretionary powers. I think the passage I have read gives a good historical and graphic account of what the commission has actually done, as well as a brief summary of what remains to be done, the very functions which Government contemplated as necessary to be performed by the commission; being, I believe, as necessary now, as when the bill passed, and that provision must be made for the discharge of those functions, if the efficiency of the plan is to be maintained. I have quoted Lord Brougham on this subject; I will now read to the House the opinion which was expressed on the same point by the Duke of Wellington:—

> "I disapprove of a system of administration which differs in each and every one of 12,000 parishes in this country, and in each of which different and varied abuses have crept in. It is impossible for Parliament to frame any law that can remedy or apply to abuses which are as varied in their character as they are numerous. Hence it has become absolutely necessary that such an appointment as a central board of commissioners should be made, with power to control the whole of the parishes in the land, and to adopt such remedies as would secure a sane administration of the Poor-laws throughout the country. As the central board of commissioners must necessarily have extraordinary and very extensive powers, it would be proper that they should keep such a record of their proceedings as would render them liable at all times to the actual control of Government and of Parliament. I doubt much whether the provisions of this bill give such a control to the Government as will afford a full knowledge to the Parliament, at all times, of the course pursued by the commissioners; but in committee on this bill I shall consider whether some alteration be not necessary to make that control more active."

So far, therefore, from uniformity of practice under this law, being the object either of the law, or of the commission, to control its administration, I contend that this commission was at first appointed, and is still required to be continued, for two objects,—that it may secure diversity of operation where circumstances are different, and that it may prevent diversity of operation where the circumstances are identical. Nay, I go further; I say, that some such body is indispensably necessary, unless you can show that in all the varying circumstances of this great community one universal scheme of administering relief to the poor can be devised by the Legislature, applicable in all cases and under all circumstances, or unless you are prepared to show that some such discretionary power must be vested in some branch or other of the executive Government. It is always dangerous to attempt definitions, but if I were to hazard one on this occasion, I should say that the principle of the present measure is this,—local administration, in conformity with the plan defined by law, placed in the hands of a mixed body, composed partly of persons chosen by the ratepayers, and partly of magistrates appointed by the Crown, checked and controlled by a central authority emanating from the Crown itself. This was the original scheme, and there has been nothing in the subsequent working of the plan to lead me to doubt the wisdom, the policy, or the necessity of the system. On the contrary, I say experience has demonstrated that necessity, and, believing it to be necessary, I certainly am most strenuously bent upon proposing to Parliament the continuance of the commission for the term which I have stated. Allow me just to ask, if you destroy this commission, what is your intention with reference to control over the administration of relief. Some gentlemen would say, "Go back to the old system." If you go back to the old system, you find, indeed, a local board, but in the whole history of the Poor-law you will find no period at which the local administration has been uncontrolled by authority. From the reign of Elizabeth, down to the time at which the great change now in operation was introduced, the local magistracy controlled the administration of relief? If you revert to that system, you must of necessity change the boards of guardians. Your boards of guardians are now composed, as I have stated, partly of a body elected by the ratepayers, and partly of magistrates, who uniformly and invariably are, *ex officio* members of the board. If you restore them to their control, they must cease to be members of the board; you must reconstitute the boards of guardians. If you change the form of the boards, you must change the unions, and, step by step, you will find it necessary to go back to that system which the act of 1834 terminated as intolerable; and, by reverting to that system, I am perfectly satisfied that all the abuses which were put an end to by the act, will be renewed in an aggravated form. I have already, perhaps, stated as fully as is proper on opening the measure, the reasons why I decidedly adhere to the opinion as to the necessity of a central commission. I have quoted the explanation given by Lord Brougham of the views which led to the appointment of such a body. I will now state the opinion he expressed with respect to the choice or rather the character of the persons who ought to compose that commission. He said,

> "Show me a person whose opinions on party matters differ widely from my own, and if he be a man of firm mind, of extensive experience as to the working of the Poor-law, of conciliatory manners, of sound discretion—if he be a man whom I can trust for his temper (one of the prime requisites in such a work), that man I prefer before any of those with whom I agree in politics."

Such was the rule laid down by Lord Brougham; and what was the practice of Lord Grey's Government? They selected a political opponent; they placed at the head of the commission Mr. Frankland Lewis, who at that time was opposed to the Government. And what has been the course taken by my right hon. Friend, now at the head of the Administration? A vacancy occurred in the commission since we acceded to power. Did we look for a political supporter to fill the office? No; adhering strictly to the rule laid down, we exercised an honest judgment as to the gentleman of greatest experience, possessing the requisites I have stated, and we advised the Crown to exercise its patronage in conformity with the principles laid down; and the appointment made, I think the House will consider unexceptionable. I have thus endeavoured to show, first, the necessity for the law, and next, I have slightly touched upon the composition of the board. And I certainly think, that this body as now composed, appointed as it has been by two

Governments differing in opinion, deserves to command the confidence of the House and the approbation of the people. No difficulty, therefore, I hope will arise with respect to the composition of the commission. I now pass on from the commission itself to the question of the number of the assistant-commissioners. On the first introduction of the scheme, from the novelty of its arrangements and the extent of the change proposed, it was found necessary, although nine was the number contemplated, to add considerably to the force of assistant-commissioners. I believe, that the number has amounted to thirteen or fourteen, but that number, during the last two years, has been reduced considerably; and at present only ten assistant-commissioners are employed. It is my intention, in the bill I am about to ask leave to introduce, to adhere to the original limit, and to fix nine as the number of assistant-commissioners for England and Wales. My view of the matter being, that considering the enlarged experience of the boards of guardians, their services are not so necessary for directing the proceedings of the guardians as when the law was just brought into operation—that their interference will be less frequent, and that they will assume rather the character of visitors for the purpose of prosecuting special inquiries than of officers appointed to direct the mode in which the law should be carried into operation. I will not dwell longer upon this part of the subject, but proceed to the next point which is one of considerable importance, — namely, the power of the commission to issue general rules. When the subject was last under discussion, I confess I had a strong opinion that the original enactment, requiring that general rules should be passed by the commissioners, subject to the *veto* of the Secretary of State, with a power reserved to the Crown in council of annulling those rules—had been evaded in spirit, if not in letter, by issuing special orders, and refraining from passing general rules. I think I expressed an opinion of that kind; but I am bound to say, that since I have had access to official information on the subject, I am quite satisfied that until the unions generally throughout England were formed, it would have been impossible with advantage to issue general orders; because, as each new union was formed, and came under the operation of the act, it would have been necessary to include i in a general order, which would have been attended with a revocation and re-issue of general orders, and must have produced the utmost possible inconvenience. Since I acceded to the office which I have now the honour to hold, the whole of England and Wales, speaking generally, having been brought under the operation of the original law, it did appear to me and to the commissioners that the time had arrived when general orders, touching all the principal points of Poor-law administration, should be issued in strict conformity with the original enactment; and the consequence is, that I shall to-night, with the permission of the House, lay on the Table the report of the Poor-law commissioners for the current year, to which there will be appended five or six general orders, embracing all the points of Poor-law administration, to which general orders have been, or could be directed. The first will apply to the internal government of workhouses; another will touch the prohibition of out-door relief; a third will relate to medical relief; a fourth will apply to the duties of paid officers; and, speaking generally, I am in a condition to say, that every subject has been exhausted in general orders, so that both the letter and the spirit of the original enactment has been carried into execution. If I obtain leave to introduce the bill, it will lay open to the House and to the country, in most minute detail, the whole of the regulations for the relief of the poor and destitute. Having adverted to general orders, I think it right to call the attention of the House and of the public to the illustration of what I have said. Not only is it the theory of the board of commissioners to vary the practice in different parts of the kingdom, but I will show in what way that theory has been practically executed. I do not know any topic on which I have heard more angry declamation than on the prohibition of out-door relief. In the first place, I beg leave to say, that what is called a prohibitory order has been issued only to a very small portion of the manufacturing districts, and even where it has been issued, the most discreet consideration was given from time to time to alter it, according to the varying circumstances of the labourers; but as much error exists, and the opinion is widely spread that out-door relief has ceased to be allowed, and that the workhouse test is invariably applied with rigour and severity, I beg leave to state this simple fact:—In the quarter of the present year, ending 31st March, there were in England and Wales, I grieve to say, 1,072,000 receiving parish relief. Of this number what proportion, according to the official return, does the House think received relief within the workhouse? Only 159,000 were relieved in the workhouse, while no fewer than 913,860 were relieved out of the workhouse. But it may be said, that this arises from the great caution and foresight (powerful recommendations, by the way, of the mode in which these extensive powers have been administered) of those who have had the control of this matter; but I have had before me a very painful case, which was brought under my notice by the Poor-law commissioners within the last month. In the Stourbridge Union, great distress has recently existed, owing to the lowering of the rate of wages, and in that union a prohibitory order was in force. What was the conduct of the commissioners? The moment they ascertained from the report of the assistant commissioner what were the facts of the case, and that the distress arose from temporary causes, they issued a special order empowering the board of guardians to suspend the operation of the prohibitory order. Out-door relief was immediately afforded to the suffering population; the necessities of the poor were promptly met; their gratitude was great; the emergency was overcome, and the people have happily returned to their work, while all confusion has been avoided. On a former occasion it was said, that nothing could be so inflexible as the enforcement of the rule; but so far from that being the case, there are in the rule seven sections in which the boards of guardians have the power of suspending the prohibitory order without reference even to the commissioners. These exceptions are:—

"1. Where such persons shall require relief on account of sudden and urgent necessity.

"2. Where such person shall require relief on account of any sickness, accident, or bodily or mental infirmity affecting such persons, or any of his or her family.

"3. Where such person shall require relief for the purpose of defraying the expenses, either wholly or in part, of the burial of any of his or her family.

"4. Where such person, being a widow, shall be in the first six months of her widowhood.

"5 Where such person shall be a widow and have a legitimate child or legitimate children dependent upon her, and incapable of earning his, her, or their livelihood, and no illegitimate child born after the commencement of her widowhood.

"6. Where such person shall be confined in any gaol or place of safe custody.

"7. Where the relief shall be required by the wife, child, or children of any ablebodied man who shall be in the service of her Majesty as a soldier, sailor, or marine."

The hon. Member for Finsbury thinks there would be much greater convenience in local administration and control; but he has this local power already in the seven cases, which I have enumerated, without any reference to central authority, and dependent only on the will of the local administration. In all these seven cases relief may be administered by the board of guardians; and even in cases not so specific as those I have read, there is an article which enables the board of guardians in any particular instance to depart from any of the regulations in the prohibitory order, provided only that within fifteen days after such departure they shall report the same and the grounds thereof to the commissioners:—

"Art. 4. Provided always that in case the guardians of any of the said unions shall depart in any particular instance from any of the regulations hereinbefore contained, and shall within fifteen days after such departure, report the same and the grounds thereof to the Poor-law commissioners, and if the Poor-law commissioners shall approve of such departure then the relief granted in such particular instance shall, if otherwise lawful, not be deemed to be unlawful, or be subject to be disallowed."

But I wish to state to the House that, in addition to the general order which I have just read, the Poor-law commissioners in certain of the manufacturing districts where they do not think it expedient to enforce the prohibitory order at the present time, have issued an out-door-labour order the regulations of which I will state to the House. The right hon. Baronet then read the following passages from the minute above referred to:—

Art. 1 provides that half the relief is to be in kind, and that no ablebodied person shall receive relief whilst in employment for any other person, but shall be set to work by the guardians.

"Art. 2 makes it necessary for the guardians to report the mode of employment (such for instance, as stone-breaking, removing earth, picking oakum, or labour at a hand-mill), together with the place and time of work, and any other regulations, to the Poor-law commissioners. This report must be made within fourteen days after the order comes into force, and the arrangements, if varied afterwards, must be reported in the same manner.

"With reference to the mode of payment, the commissioners think that it is always expedient to treat whatever is given as relief, and not as wages."

Leaving the question of general orders, I now proceed to state that after the best consideration her Majesty's Government have been able to give the subject, they have come to the decision that it is expedient to abolish expressly and in terms what are called the Gilbert Unions. In a former discussion I stated to the House, that if, upon any point of law, I could presume to entertain a decided opinion, I did believe that the original enactment abolished the Gilbert unions. I am perfectly convinced that that was intended to be done; my belief is, that taking the clauses of the enactment together, that object was accomplished; but to prevent all mistakes on the subject, I shall, with the permission of the House, introduce a clause expressly and plainly abolishing those unions. Why do I propose this? In the first place I beg leave to state to the House that out of the community of nearly 16,000,000, the unions under the Gilbert Act comprised a population not exceeding 155,000; and the inconvenience arising from the scattered localities of these Gilbert unions has increased to a very great degree. There are only fifteen Gilbert unions and three parishes, under the operation of the Gilbert Act comprising in the whole a population of 182,000, according to the census of 1831, and 200,000 under the census of 1841. There are 242 parishes not included in unions, and not under the operation of the Gilbert Act, containing a population approaching to 300,000 scattered throughout the country and cut off from union management and control by these Gilbert districts, which remain incorporated in disjointed patches, without reference to contiguity or local connivance. For the sake of mere uniformity, or to remedy no practical inconvenience it might be unwise to make the proposed change; but I must state deliberately to the House that the Poor-law Amendment Act and the Gilbert Act stand upon two opposite principles, which cannot co-exist. I know that some enthusiasts will say, "Why not Gilbertise all England." [Mr. *T. Duncombe*, "hear."] My hon. Friend the Member for Finsbury cheers me; but it is for the House to decide upon that proposition. I think it can be proved to a demonstration, that the two principles are diametrically opposed to each other, and so decidedly at variance that the Legislature must choose between them. What is the principle of the Gilbert unions? The principle of the Gilbert unions is, that every able-bodied man seeking for relief shall have that relief found for him at his own house, and the guardians are under the penalty of *5l.* if they do not provide it. This is stated very succinctly by Mr. Senior in a pamphlet lately published, from which, with the permission of the House, I will read a few sentences:—

"The guardian is required, on application made to him by or on behalf of any person, and under a penalty of *5l.* for every case of neglect, to agree for the labour of such person, at any work or employment suited to his or her strength and capacity, in any place near the place of his or her residence, and to maintain, or cause such person to be properly maintained, lodged and provided for, until such employment be procured, and during the time of such work, and to receive the money thereby earned and apply it in such maintenance and make up the deficiency, if any, and if there be any surplus, account for it to the pauper.

"It is to be near their place of residence. They are not to seek distant work, they are not even to change their residence in order to obtain employment five miles off. Instead of their going to the employment, the employment is to be brought to them. If a manufacturer removes to a better fall of water at six miles distance, and offers his workmen good residences, and good wages, they need not follow him.

"On the other hand, if the employer think fit to discharge his workpeople, he can apply the next day on their behalf to the guardian, require them to be provided with suitable employment, and offer to agree to take them back at half wages, the other half being supplied by the parish. There is nothing, indeed, in the act to prevent the guardian and the employer being the same person, and agreeing, as guardian, with himself as employer, what portion of the wages of his own workpeople he shall pay out of his own pocket in his individual capacity, and what portion out of the parochial funds in his corporate capacity.

"The rule is to give in-door relief to the impotent, and out-door relief to the able-bodied."

On the other hand, the rule of the Poor-law Amendment Act is to give relief to the aged and infirm, to those who are above sixty years old, at their ow nhomes, but to apply the workhouse test to the able-bodied. In a word, these are antagonist principles, and the Legislature must decide to which preference is due. It is useless, therefore, to waste the time of the House by urging this point farther, and I frankly avow, that it is the intention of Government in terms, to propose the repeal of the Gilbert Union Act, and it will be for the House to determine which of the two principles shall prevail. As to local acts, I will now state to the House what will be our proposal. We do not intend, in the slightest degree, to alter the existing law; and the law as it now stands according to repeated decisions; and according to a recent decision of the Court of Queen's Bench is this—that where a local act regulates the election of the body which is to distribute relief, neither with the constituent body, nor the body to be elected, have the Poor-law Commissioners a right to interfere; but with that exception the Poor-law Commissioners have the same powers with respect to the mode of administering relief in such cases as if the guardians had been elected under the Poor-law Act. So confident am I of the present state of the law that it is not our intention to propose any alteration in it whatever; it is our intention to leave it exactly as we now find it, not interfering in the least with the choice or the mode of choosing the governing body, but exercising a supreme control over the administration of relief by such bodies. It is, however, our intention to propose a limitation on the existing power. According to a decision of the Court of Queen's Bench the power is said to exist of adding to a governing body, chosen under a local act, a contiguous parish or parishes under the operation of the Poor-law Amendment Act; but it is quite obvious that that power might be exercised so as completely to defeat and over-bear the authority of the body chosen under the local act. We, therefore, think that on the whole it would be right to impose a limitation on that power, and say that where there were a certain number of persons, according to the last census, under the operation of a local act, there should be no power of adding to the governing body any board of guardians from a contiguous parish. Perhaps the House will think that I have already said enough on the points connected with the local acts. The next important provision contained in the bill which I seek to introduce is one which was very fully discussed in the last Session of Parliament, and relates to the important question of education; and I have had the advantage, in bringing in the bill this Session, of having ascertained what in last Parliament was the opinion of the House of Commons on this point. It is our intention to abide by the decision then pronounced, and to propose, subject only to a limitation in point of distance, that there shall be a power of appointing large district schools in various unions. We propose that within a m ximum distance of fifteen miles parishes may be combined for the formation of district schools. Under the operation of the clause so limited in point of distance, we do not contemplate that district schools of the kind to which I have adverted can be constituted excepting in the metropolitan district, in the neighbourhood of Manchester, and four or five principal manufacturing or commercial towns in England. I have thought it prudent to assign this limit for various reasons; first of all, it will enable the experiment to be tried in the most densely peopled districts. In the next place, the limitation of distance appears a humane provision for the poor. I have great objections to district schools which remove the children of the poor twenty or thirty miles from their parents or natural guardians; but by this narrow limitation of distance it will be quite within the power of relatives and friends on Sundays or holydays to visit the children in those establishments, and to have the advantage, more or less, of superintending their education. At the same time I have added a provision from the recomendation adopted last Session, which I hope the House will consider salutary. Inasmuch as the great example for schools of this description is to be found at Norwood, we have introduced a clause that the schools so established shall be subject to the inspection of the Committee of Council on Education, who shall have power to call for the dismissal of any improper master. This will be a very great, and I think a prudent, advance in the right direction of educating the poorest and most destitute of the whole community. I need hardly say how essential it is that the education of the people should commence there where the destitution is, unavoidably, the greatest; and nothing certainly can be so immediately conducive to the real welfare of the poor as the diffusion of knowledge on the best the safest principles, under a system of education conducted with the superintendence I propose. [Lord *J. Russell* here inquired across the Table what was to be the system of religious instruction?] The same system of religious instruction is to be established as was proposed last year. A chaplain will be appointed to each school, but there will be power for the parents and guardians of dissenting children, objecting to the children being taught by the chaplain, to name the minister of their own persuasion, who will have easy access to the schools, subject to such regulations as may be considered necessary. Passing from the question of education, I beg to state that the bill contains various provisions for the better protection of parish apprentices. On this subject, there has been a report recently presented to the House which is sure to command attention as it has already excited deep feeling. It would appear, that in many cases, severe hardship has been incurred by children of tender age under parish apprenticeship; and it seems to be necessary that regulations should be adopted for securing kinder and more considerate treatment of the apprentices by their masters. We have, therefore, proposed that every half-year the children be produced before the boards of guardians, when the relieving officers shall examine into their treatment and condition. With respect to casual poor, we propose that relief shall be charged upon the common fund of the union, instead of falling, as it does at present, upon the parish in which relief may be administered. We also propose, that a provision shall be introduced to meet a charge which has been made against the existing law, which is applicable more especially to unions in the north of England, and to unions of larger size. It is felt, and rightly felt, by the boards of guardians, that when an able-bodied man applies for relief, they are bound to see the head of the family himself. Where there is a large union, the attendance of the head of a family is attended with the loss of one day's work, and often of more; what we propose is, that power shall be given, where the board of guardians meets at a place distant (blank) miles (the blank to be filled up by the committee from the residence of the party applying for relief), for the board to appoint a local meeting to receive the application, and to report the cases to the full board. We propose, likewise, one other alteration. Seeing the magnitude of the whole question, we do not intend to encumber the bill with a change in the law of settlement; we are satisfied, that ere long this question must occupy the serious attention of the Legislature; but although we do not at present raise the general question, there is yet one case of such crying hardship that her Majesty's Ministers will endeavour to apply an immediate remedy. I allude to the cases of those who, having been long resident in parishes in which they have no legal settlements, but which their industry and labour have for many years benefitted, when they are suddenly seized with illness are denied all relief, except under the threat of being expelled, the parish immediately on their recovery, if they receive a single shilling. I have reason to know that a district where distress has been very great, more than one-third of the poorer population out of work have been debarred from applying for relief by the dread of removal following immediately on their recovery, in the event of their receiving anything. I do not propose to go the whole length on this occasion of dealing with destitution under such circumstances; but I do propose, that in the case of sickness (limiting it at present to that case) persons may receive parish relief, and not be liable to removal on that account, unless they receive relief for forty consecutive days. There is one other material alteration I propose, relative to the law of bastardy. As the Poor-law was passing, clauses were introduced in the other House, by which power was given to the quarter sessions only to affiliate; that remedy was soon found inoperative, and a further remedy was given by application to petty sessions. Still, the remedy is only against the goods of the putative father, and constantly it happens that the son of a wealthy man, or at all events a working man, receiving 15*s.* or a guinea per week, having no "goods," escapes altogether, and the child may be in the workhouse, supported by the industrious fathers of honest families, themselves hardly able to pay their rates. Against the father, under such circumstances, there is no remedy under the present law, and he may set the law at defiance. I think, that both in a moral and equitable point of view, this is unseemly. I therefore purpose to go back to the ancient law to this extent at least, and no further, that when there shall be a return of *nulla bona*, there shall be the power of imprisoning the father for any period not exceeding three months; this power, however, to be exercised only when the mother and child are relieved in the workhouse. No doubt, this is a decided change, and involves an important principle; but after the best consideration I have been able to give to the subject, I am satisfied that it is necessary. There are many other points upon which alterations are proposed, but which I need not enumerate with the exception of one which refers to the election of guardians. We propose to place the owners and occupiers, as to the number of their votes, upon a perfect equality, and to provide that no one shall have more proxies than four. We propose that both owner and occupier, up to a rating of 50*l.*, shall have one vote, of 100*l.* two votes, till at last the owner and occupier rated at 300*l.* shall both have six votes; but beyond that number that neither shall go. This will, in fact, place the owners and the occupiers exactly on a par. I have now stated to the House the principal provisions of the bill, and I declare sincerely that no sense of official duty—no party tie—no wedded adherence to preconceived opinions could induce me to be responsible for a measure of this description if, having had some experience on the subject, and after careful deliberation I were not in my conscience and judgment steadfastly convinced that it will be found conducive to the comfort of the sick, the aged, and the infirm, and to the independence, the welfare, and the more ample remuneration of the honest industry of the hard-working labourer. I assure the House that this is my sincere and deliberate opinion, and nothing could have induced me to be responsible for the measure except the strength of my conviction. Entertaining that conviction I shall, to the best of my ability, continue to advocate the bill in its subsequent stages, and thanking the House for the patience with which it has listened to me, I will conclude by expressing a hope that the future discussions on the bill will be conducted with temper and with a due regard to the interests of the people. The right hon. Baronet concluded by moving for leave to bring in the bill.

Mr. *T. Duncombe*, understanding that there was to be no opposition to the introduction of this bill, would reserve himself for the future discussion on it; he only now rose to express his sincere and deep regret at some portions of the speech of the right hon. Gentleman. He regretted that he intended to introduce a bill which was virtually to prolong the commission for six years, for he believed that such a proposition would be extremely offensive and obnoxious to the public at large. He would not propose that they should go back to the old law, or to the former mode of giving relief, but he would have boards of guardians properly elected, and then he would give them full discretionary power. He also regretted that the Government intended to abolish the Gilbert unions; it was clear the other evening, when the Government refused the committee for which he had moved, that it was their intention to abolish these boards: he would only say that it would be his duty to offer to this part of the proposal every opposition in his power, andhe would offer every impediment which the House would allow to save the Gilbert unions, as he looked upon the proposal as the breach of faith of an act of Parliament that those unions should be dissolved without the consent of two-thirds of the guardians.

Mr. *Wakley* said, that nothing could be more inconvenient than to enter into discussion upon the provisions of a bill which they had not had the opportunity of seeing, for he had often found that there was no agreement between the clauses of a bill, and the kindly and merciful tone in which those clauses were announced. The tone of the right hon. Gentleman's speech was exceedingly merciful and kind to the poor, and one would really believe that he thought he was introducing a bill which would do them good. He had always objected to the principle of the Poor-law Amendment Act, and there was scarcely any form into which they could throw the details, which would remove those objections. The bill took from the rate-payers the power of managing their own poor, and transferred it to the commissioners sitting in Somerset-house. He did not like the renewal of this power for five years, it was not dealing candidly with the public. He said that there was no intention at any time of giving up the power, and why did not the right hon. Gentleman say at once, "We like the Poor-law commission, and so we intend to make it perpetual?" He would like to see hon. Gentlemen on the Benches opposite facing their constituents after this bill was supported; he recollected what had been said by them on the hustings; he knew that it was the Anti-Poor-law cry by which those Gentlemen had obtained so many seats in that House; they were now as mute as so many mice, whilst the Poor-law commission was to be fastened upon the country in perpetuity. He believed that many of the right hon. Gentleman's proposals were good, but they seemed to him to be only the proposals which had been so much obstructed in the bill of last year; the only change he could see was, in the bastardy clause; hon. Gentlemen opposed the bill then, and they supported it now. Whatever good there was in the bill he would be glad to accept, but he would certainly oppose the renewal for so long a term as five years, and take the sense of the House whether it should not be limited to two years. The right hon. Gentleman had said that the Lord Chancellor, when he introduced the first act, had said that the object of the commission was to accommodate the working of the law to the circumstances of different parts of the country, but he believed he could show that although this might have been said in the House of Lords, the professed object of the commission was in that House declared to be to produce uniformity of practice. Whatever might have been said in the other House, he still thought that this had been the design of the commissioners. What did he find? That in 400 unions a prohibition had been issued against out-door relief, and that in 100 unions only no such order had been issued. If such a discretion was to be in any body as to the nature or quantity of relief to be afforded, who were likely to exercise it so wisely as the persons living in the neighbourhood of the parties applying for relief, and acquainted with their circumstances? The rule hitherto adopted in this country was to make the holders of their own funds distribute it as they thought best; and it was a subversion of the principle by which the mass of the country was left with the management of their own affairs, to vest the power in the commisioners. He had always opposed the principle of the bill, and he should continue to do so. He told the people of England through that House, that if they did not wish to give the power to the commissioners in perpetuity they must pour their petitions into the House in such numbers as to let the Government know their opinion, for if there was to be a continuance of the commission for five years, it would be permanent. He now entered his protest against the principle of the bill, and he would take the sense of the House against the term for which it was proposed to continue the commission.

Mr. *Shaw* asked, whether the present commission was to remain as it did with respect to Ireland?

Sir *James Graham* said, it was not his intention to make any alteration as to the law with respect to Ireland; the management would continue to be vested in the same hands.

Captain *Pechell* would offer every opposition in his power to that part of the bill which would dissolve the Gilbert Unions; with respect to which the right hon. Gentleman had made a statement which he would pledge himself to contradict. The right hon. Gentleman had exercised a sound discretion in not touching the towns having local acts, for he knew well that if he had touched them he would have been met with violent opposition from his own friends; and he warned those hon. Gentlemen, that though, like a skilful general, the right hon. Gentleman had attacked them in detail, he would apply the same rule to the local acts as he did to the Gilbert unions.

Mr. *Fox Maule* rose to deprecate any entry upon criminatory or recriminatory subjects. He said, as far as the right hon. Gentleman's statements and tone went, that nothing could be better. The right hon. Gentleman had introduced the question with fairness, and as one who had been accustomed to look at this measure with a view to legislation, and without making any alteration in the principles of the Poor-law bill, to find amendments, he must say that the statement was very gratifying. He thought it was time for them to approach this question, throwing out of view all hustings' proceedings, but it appeared to him that the present Government were legislating in more difficult times than the last, when there was greater distress among the poor, and when the discussions upon the bill might be more easily turned into mischief. He assured the right hon. Gentleman, however, that the amendments he had notified, so far as he heard them, and could approve of them, should meet with fair consideration from him, and as far as he saw he would be able to support them. With regard to the clauses as to education, he thought the Government had taken the proper course; they gave him great satisfaction, and there were other amendments in the bill of which also he approved: although with respect to bastardy he thought the clause would require careful consideration. Upon the whole he was satisfied with the manner in which the right hon. Gentleman had brought forward this great question, and he hoped the right hon. Gentleman would not experience much difficulty in bringing it to a favourable conclusion.

Mr. *J. S. Wortley* was afraid he must state to the right hon. Gentleman that there were parts of his bill which he should feel it his duty to oppose: still he gave him credit for his plan, and as far as it was consistent with his duty it would afford him the sincerest pleasure to give his assistance in passing the law in his hands. There were, however, some points on which he would gladly have seen his right hon. Friend take a few steps in advance of the alterations proposed in the bill of last year. If he had done so, he would have made his bill more acceptable to the country, In conformity with the general understanding, he would not then enter into a discussion as to the points on which he differed. He had no hesitation in saying that on other points he had heard the statement with great pleasure; but his strongest motive for rising was to express his delight at the manner in which the right hon. Gentleman had dealt with the argument as to uniformity. He thought that he might now congratulate the House upon the dissipation of that opinion. The orations of Lord Brougham, in the House of Lords, were as totally at variance with the acts of the Poor-law commissioners as any one could conceive. He believed that his right hon. Friend and the commissioners were now brought to the conviction that they could not apply uniformity under the various circumstances of the country and in various districts. He believed that it was the duty of the authorities to adapt the bill to the varieties of the different districts, and if they did so adapt it, the bill would not be that object of repugnance which it now was; but that they would obtain the useful co-operation of all called upon to act under it. Till this was done, they could never expect contentment and satisfaction. He spoke now in reference more particularly to the district with which he was connected, where the bill was in force without the acquiescence of any one class of the population, either rate-payers or paupers.

Mr. *Ferrand* would not have risen, had it not been for the taunt of the hon. Member for Finsbury, who had stated that hon. Members on that side of the House, who were as much opposed to the bill as himself, were mute that evening; but it was the general understanding that there should be no discussion. It was unfair for the hon. Member to fling out such a taunt against Members on that (the Ministerial) side of the House, and then to take up his hat and walk out of the House. He would ask the right hon. Gentleman whether he would give an opportunity for all towns and districts in the country, who might choose immediately to apply for a local act, to be exempted from the bill? If he would do this, many large towns and districts would apply.

Mr. *Gill*, after the satisfactory statement of the right hon. Gentleman, would be sorry to prolong the discussion, but would ask whether the limitation upon the commissioners' interference with local acts was confined to towns with less than a population of 20,000?

Sir *James Graham* said, that the judgment of Lord Denman was, that the commissioners had a right to issue regulations and orders to the guardians of every parish. They had the same power of administering the law under local acts, as in other places the sole limitation was, that they could not interfere with the constituent body. But the commissioners now had the power to add to any district under a local act a number of adjacent parishes, and so, if they pressed it to an extreme, of adding a majority to the governing body. He proposed by the present bill to limit this power where the population under the local acts amounted to 20,000.

Mr. *Borthwick* said, that as he was not one of those who had pledged themselves on the hustings to take one view or other of this question, he should feel himself wanting in his duty to the Government, and to himself, if he did not express then the disappointment which he felt with the measure proposed to the House. When the right hon. Gentleman had applied to the House for time and confidence upon this subject, he had been one of the most liberal in yielding to that application; he considered the Government entitled to that confidence; and by the same spirit he was guided now; but, in the proposed bill, there was the same centralization—the same prevention as regarded the interference of the local magistrates in the relief of the poor—the same unwillingness to recognise in the poor an absolute right to that property in the kingdom which was as sure, as legal, as just, as the title of any hon. Member to his estate. There was but a very imperfect recognition of that right; and honest industry was still to be made the martyr for deterring the ill-conditioned and undeserving from applying for relief. It would be equally dishonest and disagreeable to him to take hold of any of the numerous subjects of popular excitement with which the question abounded, for the purpose of making a popular attack. He should carefully investigate the measure, and whatever he might think it necessary to oppose, he should oppose with the calmness and temper in which such a subject ought to be treated.

Mr. *Sharman Crawford* thought that the measure was one to which the House ought not to give its sanction. It was most objectionable, because it retained as a portion of it the arbitrary power of the commissioners, and he should take the sense of the House upon its second reading, in order to give hon. Gentlemen opposite an opportunity of showing what their real views were upon this subject.

General *Johnson* begged to inquire when it was proposed that the bill should be read a second time? He thought, that that would be the proper occasion on which to object to its provisions.

Sir *James Graham* said, that it was impossible now to fix the day for the second reading. It would possibly be Monday se'nnight or Friday fortnight.

Mr. *Hardy* hoped the right hon. Baronet would give a longer time, so that the people of the north of England might have an opportunity of stating their opinions upon the bill. What was the case there now? Parties holding office under the bill had resigned, from their utter repugnance to carry out its provisions, and from the interference of the commissioners. He would assure the hon. Member for Finsbury, that he had not changed his opinions upon the law—he opposed it when it was first introduced—he divided against it in all its stages. He was one of the thirty-eight who divided against its third reading; and he would do so again, because he thought its principle was to save the money of the rate-payers, and not to support the poor. It was disgraceful, that the poor should have to walk fourteen or fifteen miles, thereby spending a whole day upon what might be a fruitless application for relief. The law would not give satisfaction unless it provided that the poor should obtain relief in the easiest manner that was possible. He was decidedly opposed to the centralization system, but was happy the bastardy clauses were now to be altered.

Mr. *Grimsditch* had always entertained a strong objection to this measure. He begged to inquire of the right hon. Baronet whether there was any intention on the part of the Government to place any power in the hands of the guardians to reduce the limits of the unions placed under their charge? He thought, that in Manchester and other places, where large rural districts were combined with towns, such a power would be most advantageous. He was decidedly opposed to the continuance of the powers of the commissioners for so long a period as was proposed, and thought, that they should stand only in the position of tenants from year to year.

Mr. *Muntz* had not heard the whole of the speech of the right hon. Baronet, but he had come in too soon for his own satisfaction, when he had heard the right hon. Baronet say, that he proposed to retain in the hands of the commissioners the power of regulating the relief granted under the various local acts. In his opinion, that constituted a most injurious part of the bill; for he was confident, that a great deal of mischief was done by the interposition of the commissioners in these cases. Thousands of persons would continue to receive relief in all the large towns, and the principle upon which the commissioners professed to act, of not giving out-door relief, would be broken through. He entertained the same objections to this bill as to the former measure. He believed the original intention of the Poor-law Act was to prevent the poor from seeking relief, and to save the pockets of the rich. He had watched the operation of the bill since it was passed, and his opinion was confirmed by observation. He thought one very important consideration had been lost sight of—namely, that the present class of paupers differed very materially from the class which formerly came under that denomination. Formerly, the class of paupers was almost confined to the idle, the drunken, and the vicious; but now thousands of men were compelled to throw themselves upon the workhouse, who, if they could obtain employment, would be glad to work for the support of their families. He remembered the time, when it was considered a disgrace to receive parochial relief, and when its reception threw a slur on a man's character. Thousands of persons had, under the old system, refused relief, lest they should incur this disgrace; but such was now the demoralization of character, that men received relief, as they would receive wages. He hoped the right hon. Baronet would take into consideration the inconvenience which would result from the interference of the commissioners in large towns.

Viscount *Sandon* was anxious to say a few words, lest his silence might be misconstrued into an assent to the provisions of the Poor-law Bill, to which he had formerly expressed his objection. He had always been of opinion, that in the large towns, there should be a discretion vested in the guardians, and it would be much better, that that discretion should remain in the hands of gentlemen living in these towns, and selected by their neighbours, instead of in the hands of commissioners residing in London, or still less of assistant-commissioners; because it was evident to every one, that occasions might arise, which no general rule could apply to. Experience had shown them, that the discretionary power was much better exercised by those parties who were most deeply interested in the welfare, and who were most anxious to promote the prosperity of their poorer neighbours. He hoped, that the power and control of the commissioners would be, in a great degree, limited to some general power of supervision and reporting, and that it would not be exercised in the manner it at present was, hanging in terror over the heads of the boards of guardians, crippling them in all their exertions. He trusted the right hon. Baronet would take that point into his consideration. He (Lord Sandon) was certainly inclined to give the commissioners as short a term as possible, because he thought their powers were so extraordinary that nothing but their being compelled to come frequently before Parliament, would be an effectual check upon their proceedings.

Mr. *E. Turner* was understood to say, that in the case of a board of guardians with which he was connected, representations had been made to the right hon. Baronet (Sir J. Graham) completely at variance with the real facts. He suggested to the right hon. Baronet, that he should endeavour to obtain, from the overseers of parishes, the best information with which they could furnish him, that he might have some test for ascertaining how far the statements made to him were worthy of credit.

Sir *J. Graham* said, he would endeavour before the bill arrived at another stage, to obtain accurate information. An hon. Gentleman (Mr. Grimsditch) had asked whether it was proposed to vest in the board of guardians the power of changing the limits of unions. Judging from the example of Manchester, and the great advantage which had there accrued from uniting the adjacent rural districts with the town under one board of guardians, he (Sir J. Graham) would be unwilling to vest in the guardians the power of altering the limits of unions; and he would not wish to prevent the union of rural districts with large towns.

Mr. *Grimsditch* had hoped, that some provision would have been made for reducing the size of unions, where practically they were found to be too extensive.

Sir *J. Graham* said, the present law, in this respect, would remain unaltered. The power of making such changes would continue, as was the case at present, in the hands of the commissioners. He was far from concurring in the suggestion of the hon. Gentleman, for he thought a striking example was afforded by Manchester of the great advantages resulting from the union of rural districts with large towns.

Leave given.—Bill brought in and read a first time.

House adjourned.

HOUSE OF LORDS,

Thursday, May 12, 1842.

MINUTES.] BILLS. *Public.*—2ª· Dublin Police.

Reported.—Bribery at Elections.

3ª· and passed:—Exchequer Bills; Victoria Park; Knightsbridge and Kensington Openings.

Private.—1ª· Warwick and Leamington Union Railway; Warkworth Harbour.

2ª· Gair's Naturalization; Sir F. Bathurst's Estates.

Reported.—Saundersfoot Railway (specially); Equitable Gas; Bristol Floating Dock; Ellesmere and Chester Canal.

3ª and passed:—Kingsclere Inclosure.

PETITIONS PRESENTED. From Owners and Occupiers of Land, and Tradesmen in Blandford, against the proposed Reduction of the Import Duty on Corn, Cattle, and other Provisions.—From the Guardians of the Maidstone Union, for Alteration of the New Poor-law.—From Hop Planters in Goudhurst, against the Alteration of the Hop Duty.—From the Congregation of the New Chapel at Todmorden, for the Repeal of the Corn and Provision Laws.—From Catholics of Ashton-under-Lyne, Clayton-le-Moors, Hyde, Newton, Godley, Wigan, Boston, Great Yarmouth, and other places, for better Religious Instruction to the Catholics in the Army and Navy.—From Ardrahan, Drumcree, Killereran, and Abbey Knockmoy, for the Encouragement of Schools in connexion with the Church Education Society of Ireland.

HOP DUTIES.] The Earl of *Winchilsea* presented a petition from Goudhurst, Kent, against the reduction in the duty on foreign hops. The petitioners stated, that the reduction contemplated by the Government of 2*l.* per ton would ruin their trade.

Earl *Fitzwilliam* would remind his noble kinsman (the Earl of Winchilsea), that if the culture of hops were destroyed, the land would remain and be capable of being converted to other purposes. His object in rising, however, was to direct the attention of the House and of his noble Friend to another point. The other night a conversation arose respecting the employment of persons in mines. His noble Friend then expressed great anxiety concerning the morals of that part of the population, which, he said, was seriously injured by the employment of females and children in mines. Now, as his noble Friend was so exceedingly desirous of protecting the morals of the inhabitants in the manufacturing districts, he would recommend him to look a little more to the morals of the persons in the districts with which he was himself more immediately connected. He would turn his noble Friend's attention to what occurred in the hop grounds during the time of hop-picking. If he would look to the morals of the females who laboured in the field, it might be more useful than turning his attention to those who delved in the bowels of the earth. [The *Lord Chancellor:* They go from London.] Yes, they might go from London; but the example of their conduct was calculated to corrupt the morals of the districts with which the noble Earl was connected. Now, surely the noble Earl ought to endeavour to prevail upon the Government to which he gave his support to put an import duty upon the articles which were brought down from London into those rural places, lest they should corrupt the morals of the females, and it might perchance be of the males, in the very pure districts of Kent and Sussex.

The Earl of *Winchilsea* said, and as his noble relative remarked, was true, that hop-grounds might be converted to other purposes of cultivation than that of the production of hops; but the mischief to be apprehended from the admission of foreign hops at a low rate of duty was not limited to the hop-grounds and hop-growers; it extended to woodlands, and to that class of persons who had invested large sums of money in the growth of ash, willow, and chesnut poles for the use of hop-grounds. Throw the hop-gardens out of cultivation, and these woodlands, which were of great extent, would immediately become valueless. The land hitherto devoted to the growth of hops might be easily convertible to other purposes, but the woodlands could not be brought into a state fit for cultivation except at an expense equal to the fee-simple of the land itself. The injury, therefore, resulting from a comparatively free importation of foreign hops, would extend much further than his noble Friend appeared to contemplate. The noble Earl had recommended him to look to the morals of the population in his own immediate neighbourhood. He begged to state that there was no district in that neighbourhood in which schools were not established capable of affording education to the whole of the population. All he asked was, that the hop-grower should have a fair protection, such as was given to other classes.

Earl *Fitzwilliam:* Then it appears that we are to protect hops, not for the sake of hops, but for the sake of woods—surely his noble Friend—

The Earl of *Wicklow:* I rise to order. If irregular discussions of this nature are constantly allowed to take place, it will be quite impossible that the business of the House can proceed.

Earl *Fitzwilliam:* I move, then, that

this House do now adjourn, and my reason for making that motion is, that it appears to me that the noble Earl opposite has called me to order in a way, I will not say perfectly irregular and disorderly, but in a way not perfectly consistent with the grave impartiality which should influence every one of your Lordships when you rise to enforce the rules of the House. If the noble Earl, the Lord-lieutenant of Wicklow, can show to me that he never remembers any instance of the sort of conversation taking place between noble Lords which has now transpired between my noble Friend and myself, I will bow to his authority, and cease to make any further remarks; but if he cannot do so, then previous to moving that the House do now adjourn I shall make a few observations upon what has fallen from my noble Friend (the Earl of Winchilsea) relative to the woods of which he tells us. It appeared from his noble Friend's statement, (the noble Earl continued), that the Legislature was to throw an obstacle in the way of the importation of foreign hops, not for the sake of the hop growers of this country, but for the sake of the owners of woods. But his noble Friend must very well know that where woods became less valuable, it was customary to destroy them, and he had no doubt the noble Earl had himself been a great destroyer of woods; so in the case of woods cultivated for the sake of hops, if they became less valuable they might be destroyed, and that should be the case instead of protecting the hops for the sake of the woods. He would beg to direct the attention of the House to the alteration about to be made in the duties on foreign timber, which he apprehended would have more effect in deteriorating the value of woods —and he did not regret it, because he thought timber ought to be cheap—than any alteration in the hop duties would have in diminishing the value of wood grown in the counties of Kent and Sussex. In conclusion, the noble Earl moved that the House do now adjourn.

The Earl of *Winchilsea* said, that if his noble Friend had any practical experience upon the subject, he would know that to bring wood lands into cultivation would be to expend a sum equal to the fee simple of the land upon which the wood grew. When the noble Earl directed his attention to the immoralities of hop-grounds, he would beg to point the noble Earl's attention to the statements made in the report lately laid before them relative to the immorality practised in the mining districts with which the noble Earl was connected. He should be anxious at some future time to give the noble Earl an opportunity of denying that such immorality existed in any of the mines in which he had an interest.

Earl *Fitzwilliam:* I deny them now, and am glad that the noble Earl has given me the opportunity of doing so. I know of no single instance of the employment of females in any collieries of my own; and I believe that none are employed by any of my lessees. I own that I do not run into any of what I think the extravagant opinions that are entertained upon this report. To persons not accustomed to these employments it may seem very horrible that females should go under ground in the manner described in the report; but, whether the fact of their so going under ground contributed to the ruinous demoralization of their character is, in my mind, matter of considerable doubt. But, as far as my own property in collieries is concerned, I can positively deny that any females are employed in it. I take no credit for this. It arises from the nature of the seams of coal wrought in my collieries. Perhaps it might be desirable to interfere to prohibit the employment of children and females in collieries, but I should have some delicacy in making such a proposition, because the truth is, that the mischief from employing very young children in collieries arises from the seams of coals in certain collieries being exceedingly thin; and any noble Lord who read the report, with a knowledge of mining, would find that the employment of children in colleries was confined to the western districts of Yorkshire, where the seams of coal were of that description.

The Earl of *Wicklow* rose to explain. He should be exceedingly sorry for the noble Earl to suppose that he meant any discourtesy towards him. [Earl *Fitzwilliam:* Not towards me personally.] But the noble Earl insinuated that he was not strictly impartial in enforcing the rule of order; and then the noble Earl went on to ask whether he had never witnessed such irregularities before. He had certainly witnessed them frequently, but never so often as in the noble Earl himself. Take the House collectively, and he would venture to say, that no three

Members of it had ever been guilty of the irregularity of introducing matter foreign to the business of the House, to the same extent as the noble Earl. That was his reason for calling the noble Earl to order. Only the other night the noble Earl made no less than five speeches upon presenting one petition. If this were to be the practice of the House, and no noble Lord were allowed to rise to order, it appeared to him that it would be quite impossible to carry on the business of the House.

Lord *Redesdale* remarked that in the discussion which took place on a previous evening upon the point of order, the noble Earl (Earl Fitzwilliam) was the person who got up and expressed a hope that some new rule would be established to render the proceedings of the House more orderly. [Earl *Fitzwilliam:* Make a rule.] A new rule was not necessary. The rules which already existed were for all general purposes sufficiently stringent. It was not the practice to enforce them rigidly, but it might be necessary to do so, if the customary relaxation were subject to abuse. No one could doubt that the making of five or six speeches upon the presentation of a single petition, as was too frequently the habit of the noble Earl, was a serious impediment to the regular fixed business of the House, and could be attended with no advantage whatever. He thought that when a noble Lord was called to order, he should bow to the call, and not put himself in order, by moving an adjournment, thus evading the rule of the House, and causing great inconvenience.

Motion for the adjournment negatived.

INCOME-TAX (EXEMPTION OF FOREIGNERS.)] The Marquess of *Lansdowne* rose, in pursuance of the notice he had given a few evenings previous, to move for certain returns relating to the exemptions granted to foreigners, under the acts commonly called the Income-tax and the Property-tax Acts. In doing so, it certainly was not his wish to hurry the House (which could not be otherwise than exceedingly inconvenient) into any premature discussion as regarded the merits of the general question. He should confine himself strictly to the particular point to which the returns for which he was about to move related. He did not apprehend that her Majesty's Ministers would raise any objection to the making of those returns, but as the subject to which they related was one of considerable importance, he hoped to receive their Lordships' indulgence whilst he offered a few observations in respect to it. He was the more induced to ask for this indulgence because he found not only that his own authority, but the authority of other men much more eminent than himself, and with whose opinions he had had opportunities in earlier life of becoming intimately acquainted, had been referred to in connection with this subject in another place. The reason why he felt it necessary to call their Lordships' attention to the subject, at this particular moment was this—that unquestionably this was the first time that the income enjoyed by foreigners in other parts of the world, arising from property vested in this country, had been made the subject of taxation under any act of the description of that now under the consideration of Parliament. There were, he believed, soon after the Revolution, certain imperfect and obscure attempts made to impose a tax upon income; but these attempts were not carried into effect; and as the history of them was but very imperfectly known, it was difficult to find out either why they were made or why they did not succeed. But early in the course of the first French war Mr. Pitt introduced an Income-tax upon all income enjoyed by his Majesty's subjects in England. It never occurred to Mr. Pitt at that time, at least there was no trace, no record of its ever having occurred to Mr. Pitt, that it was just, equitable, or expedient to include foreigners in the operation of that tax. Shortly afterwards the tax terminated with the war. In the next French war, Mr. Addington, being then the Minister in the House of Commons, proposed what was called the property-tax, which, though differing in name, was in almost all respects similar to the previous tax introduced by Mr. Pitt. The tax so proposed by Mr. Addington did not extend to foreigners. Two years afterwards it fell to his lot, in a very early period of his public life—too early, perhaps, to be employed in a situation so high and important as that which he had then the honour of filling—to propose a considerable alteration and modification of the property-tax which had been introduced by Mr. Addington—he would not say that it never occurred to him, because in speaking upon the present occasion, he wished to lay aside his own authority altogether

—but it never occurred to those under whom he acted—above all, it never occurred to Mr. Fox that it would be expedient or just, to extend the operation of the act to foreigners possessed of property in this country. And here he would state the ground upon which he felt himself particularly called upon to direct their Lordships' attention to the subject. At the time of which he was speaking, a very material and a very beneficial change took place—a change which he was humbly instrumental in carrying into effect; and which, without altering the principle of the act, did so far alter its form and appearance with respect to its application to the funds, as to suggest, for the first time, the principle of taxing foreigners. It had been found that a great deal of inconvenience had been experienced in consequence of the tax not being levied at the Bank of England, where the income derived from the funds was paid. To remedy this inconvenience, it was arranged by the consent of all parties, that the Bank Directors should be enabled to act as commissioners, and to receive at the Bank that portion of the funds which was subject to the tax. The tax so received by the Bank directors in the character of commissioners was not a tax upon the funds, but a tax upon income derived from the funds. This was carefully provided for in the clauses of the act constituting the Bank directors commissioners. The tax was not levied upon the funds as funds, but upon income as income, and the Bank directors were made commissioners of the tax for the purpose of collecting it with the least amount of inconvenience to all parties. However, the appearance of the tax being deducted from the funds, was such as to suggest, for the first time, to two or three able and ingenious persons in the House of Commons that it would be expedient to include foreigners resident in other countries, and not being subjects of his Majesty, in the tax. A proposition to that effect was accordingly brought forward in the House of Commons, and in the course of what passed upon that occasion, the strongest opinions were expressed that it would be both unjust and inexpedient to subject foreigners to the tax. He adverted particularly to that fact, because he had heard that it had been stated in another place, that Mr. Fox had objected to the subjecting of foreigners to the tax as a matter of expediency only, and not of justice. In consequence of this assertion, he had been induced to refer to the record of the opinions expressed by Mr. Fox; and with their Lordships' permission, he would read the words employed by Mr. Fox, and then leave their Lordships to judge whether it could be fairly stated that Mr. Fox's objection was one of expediency only.

> "Mr. Secretary Fox was astonished at the opinion expressed by the hon. Gentleman (Sir Philip Francis) on this subject. For his part, he should consider an act, such as the hon. Gentleman recommended, a shameful confiscation. The bill under the consideration of the committee was not for taxing foreigners, but British subjects. So unjust did he consider such a measure (involving in it too, as he conceived, a flagrant breach of the national faith), that if the revenue resulting from it were ever so great, he should think it his duty to reject it."

Now whether Mr. Fox were right or wrong in that opinion, it could not, with any justice be said by those who advocated the imposition of the tax upon foreigners, that the high authority of Mr. Fox could be quoted as opposing the proposition only upon grounds of expediency and not of justice. He had shown from Mr. Fox's own words that his opposition to the proposal was specifically based upon the grounds of justice. And however high the sole and unsupported authority of Mr. Fox must ever be held to be, it was to be recollected, that in this instance Mr. Fox was giving an opinion in strict conformity with the course of conduct previously pursued by his political adversaries, Mr. Pitt and Mr. Addington, and which, when Mr. Fox unhappily ceased to exist, was afterwards pursued by Mr. Percival, when the question was again brought under the consideration of Parliament. Here, then, was a mass of authoriry, to show the injustice and inexpediency of including foreigners in an Income-tax levied in this country. But even if there were a doubt as to the justice of adopting such a course, when the bills were first introduced to tax property and income in England, the very recurrence of the exemption through so many successive Parliaments, and so many succeding administrations, was calculated to give to foreigners the idea and expectation, that by becoming creditors of this country, they would be creditors free from any deduction in the shape of direct taxation. It had been said, that the foreigner ought to pay the tax on account of the security afforded to his property, but did a mortgagor ever tax his mortgagee for repairs, or could a mortgagee deduct from the interest of the mortgage money on account of any species of improvement which added to the value and security of his property? It had also been said that if the foreigner was discontented, he could sell out. That was an argument which went to a frightful extent indeed, because it might be applicable to the English creditor also, and some day he likewise might be told if he were discontented or dissatisfied with some great deduction that "he might sell out." It seemed that this consideration had been forgotten throughout the present discussion, that if the English creditors were affected, it would be their own faults, because they were represented in Parliament. But the foreigner was not represented in Parliament, and had no means of making his case known and heard. He had lent, or been a party to lending, his money upon the faith of this country that he should receive his dividend free from all deduction. That was the opinion he entertained of the justice, or he might rather say, the injustice of this case. But if he entertained a strong opinion as to the injustice, he also entertained a strong opinion as to the inexpediency of imposing this tax upon the foreigner; because, for the sake of adding some 18,000*l.* or 20,000*l.* to a tax amounting to some millions, it was not worth while to impair in the least degree that high credit and reputation for the scrupulous fulfilment of engagements which had hitherto distinguished this country in every part of the world. It was, he conceived, a part of the policy of this country to maintain that high character. A case might occur, and that at no distant period, when this country might be called upon to uphold British securities in other countries, and when we might, if we could, have to use the argument, that in the midst of all our deprivations and distresses we had carefully guarded against the slightest deduction from that interest we were bound to pay the foreign creditor. He had seen with great sorrow any attempted deviation from that course which had been adopted for so many years in this country, and which had the sanction of so many Parliaments. He had taken the opportunity of stating his opinion on this matter, in moving for these returns. He did not know whether the papers for which he moved could be produced; he knew it was very likely that a great part of them had been involved in the grand *auto da fè* which took place when the Income-tax was abolished. If, however, they were not destroyed, they might perhaps be obtained from some returns which had been moved for in the other House. The noble Marquess concluded by moving, for an

"Account of all exemptions granted to foreigners in respect of income arising from property in the funds under the 23rd and 26th of George the Third."

The Earl of *Ripon* did not apprehend that there could be any objection to the motion of the noble Marquess. The subject was undoubtedly one of great importance; and the noble Marquess was perfectly justified in availing himself of the present opportunity to express his opinion upon it. He confessed, however, that, with all the respect he entertained for the authorities quoted by the noble Marquess, and for the noble Marquess himself, he had not been satisfied by the reasoning of the noble Marquess, that the proposal to subject the property of foreigners to the same impost as other property, was unjust. He did not think that there would be any violation of the principles of justice in calling upon all parties who had an interest in the maintenance of the public credit of this country to contribute to the public burdens. Mr. Pitt had, no doubt, exempted the property of foreigners from the Income-tax; but it appeared to him that in doing so, Mr. Pitt had been influenced, not so much by considerations of abstract justice, as by the considerations of policy and public expediency. At the time when Mr. Pitt's property-tax was imposed, the expenditure of this country was vast, and it was subjected to great and unusual burdens; and it was necessary to meet the additional expenditure by loans. At that time the funds were low, and it was necessary for the maintenance of the public credit that every means should be taken to increase the facility for raising the supplies that might be necessary. Under those circumstances, he could conceive it would have been unwise to allow the operation of the tax to extend to the funded property of foreigners. The same observation applied to the case of 1806, for, at that time, there existed the same considerations of expediency with regard to the position of this country and the state of the public funds, which appeared to have influenced Mr. Pitt. Upon the last occasion, moreover, it was not the question of imposing a property-tax, but merely of adding to the amount of one already imposed; and foreigners having been exempted on the original imposition, it might have been unjust to take the opportunity created by raising the per centage, to include a set of persons who had previously been excluded. In that point of view, therefore, he entirely concurred with his noble Friend opposite. At the same time he could not see the application of that argument to the abstract justice or injustice of imposing a new tax. Now that it was proposed to endeavour to equalize the revenue and expenditure of the country by means of direct taxation, it was for the purpose of avoiding perpetual recurrence to the system of borrowing. That system of borrowing if persisted in would have the effect of depreciating the value of funded property. Therefore the value of that funded property appeared to be essentially connected with any plan of finance the object of which was to avoid the necessity of perpetual borrowing. If the foreigner had the same interests in the maintenance of the public credit that every other person had who possessed property in the funds, there appeared no ground for the accusation of abstract injustice in calling upon him to contribute to the general taxation upon that property. He confessed he did not feel the force of the arguments either as applied to the injustice or the inexpediency of the case.

Lord *Monteagle* would trouble their Lordships with only a few words. His noble Friend who had just sat down had not made any reply to the observation of his noble Friend (the Marquess of Lansdowne) as to the altered state of the country since the Property-tax was first imposed. He would admit, but only for argument sake, that foreigners had been exempted on selfish grounds—that was for the purpose of keeping up the funds. Was that a reason why they should be taxed now, in time of peace? In the first renewal of the tax, the exemptions remained the same. In every subsequent renewal of the Property-tax foreigners were exempted; and by the acts of every succeeding Government they were led to form the just expectation that they would be protected against any future legislation, as they had been against any previous provisions. He felt more strongly persuaded than ever that the views of his noble Friend were founded in justice and sound policy; and he was peculiarly strengthened in this when he recollected the enormous mass of British capital which was invested in foreign funds, and which was dependent altogether upon the conduct of foreign governments. To place the argument upon no higher ground than that of mere selfish expediency and prudent policy, he must say it appeared to him that nothing could be more unwise than to disregard the recommendations of his noble Friend. At anterior times anterior Parliaments and Governments had been very scrupulous as to imposing taxes upon foreigners, and he confessed that he could not understand how they should be less scrupulous now, when the matter in question was merely a miserable sum of from 20,000*l.* to 30,000*l.* a year; it could not amount to more. These considerations, then, induced him to say, that the more he looked at this part of the subject the more did he view it with extreme apprehension. It was quite obvious that if the arguments of the noble Earl opposite were to prevail, it would establish a principle most injurious to the British holders of all foreign securities.

Lord *Brougham* quite agreed with his noble Friend that it would be exceedingly unwise to impose a tax upon foreigners. From the announcement of the proposition to the present moment, he was all along of opinion that this part of the measure was not only inexpedient and unjust, but in a very high degree unwise and imprudent; and for this, amongst other reasons—that it would give foreign governments a handle for dealing in a similar manner with the funds of others. It would be but a very trifling addition to the revenue, while it would do an injury to British interests so manifest and so irreparable, that no substantial argument could be raised in its favour. He found it hardly possible to touch upon those topics without calling the attention of the House to the fact that the sum which British subjects had invested in the foreign funds was infinitely greater than that which foreigners had in the English funds; he therefore hoped that the subject would be well and carefully considered before it was too late; he earnestly hoped that those who had the management of the bill in another place would turn their attention to the subject, for when it came up to their Lordships' House it would be too late to make a change in any of its clauses. He agreed to the measure of an Income-tax with the utmost possible reluctance, but he entertained a decided objection to it accompanied by the present provision; if, then, it came to them from the other House unchanged in this particular, their Lordships would have no alternative; they must either throw out a necessary measure, or they must agree to the unwise and unjust course of taxing foreigners. He should not trouble their Lordships any further than to express an earnest hope that the considerations which had been urged upon this point would have their due weight in the proper quarter.

The Earl of *Wicklow* contended, that as to this tax, there was no difference between British subjects and foreigners. When the latter derived profit from investing money in the British funds, there appeared to be no reason whatever why they should not assist in bearing their fair share of the public burdens. It was quite true that this impost was, generally speaking, a war tax, and it also happened that in time of war it was the practice of foreigners to invest a smaller amount of money in the British funds than in time of peace; but to him it appeared that those subjects had nothing whatever to do with the matter—nothing, at least,that should influence the decisions of Parliament. One consideration which he was sure must be obvious to every noble Lord was this, that if foreigners were exempted a door would be opened to fraud; for Englishmen residing in other countries, or even at home, might invest money in the English funds in the names of foreigners, and *pro tanto* there would be a diminution of loss on all sales to foreigners. It was said, that if we laid a tax of this nature upon foreigners the governments of other countries might retaliate. That was an argument which with him had no sort of weight. If foreign governments wanted taxes they would not hesitate to lay them on, without the slightest reference to British interests. For his part, he thought the proposed arrangement an act of justice, and he thought, that as the bill had proceeded so far as it had done, it was not likely to be altered.

Lord *Brougham* did not refer to the probability of foreigners following our example to the letter—they might not retort upon us by an exact imitation of what we had done, but unfortunately human nature was so constituted that one act of injustice frequently led to the perpetration of another in another direction.

The Duke of *Newcastle* was inclined to think that an Income-tax was not altogether necessary, but then this was not the proper time to go into that argument. He thought that our financial difficulties might be remedied without the imposition of this tax, and he should be glad if the Government could see that it was advisable to abandon it, because he was persuaded that it would be injurious to the best interests of the country. He objected also to the other measures which the Government had introduced, for they had adopted the principle of free-trade—a principle to which he had almost all his life objected. He objected to Lord Liverpool's Government, when it introduced a similar measure, because he thought it was a tax which it would be unwise to put into the hands of any Minister, whoever he might be, and because it was one the consequences of which the country could not foresee. If it could be placed in the hands of any Minister, he was of opinion it could be placed in the hands of the present Minister; but still he thought it ought not to be placed in the hands of any Minister whatever. He thought it would not have been honest, as an opportunity presented itself, if he had not expressed his opinion on the subject. Agreeing in all other things with the present Government, and sincerely wishing that it might conduct the affairs of the country with every advantage and success—but as the whole experiment in our present circumstances was so new, and in his view so fearful—he could not help expressing this warning, and imploring the Government to do something which would avoid the necessity of imposing on the country a measure which would not be conducive to its interests, though those who brought it forward most unquestionably thought it would.

Viscount *Melbourne:* My Lords, I do not wish to go into the general question which has just been broached by the noble Duke, and which, in a short time, must come regularly before the House. But for this motion, which has been made by my noble Friend, I cannot refrain from expressing my sincere agreement in every part of it. On the ground of justice, I must hold, that if foreigners place their capital in the British funds it is not any breach of justice to exact from them a tax, in return for the advantage and protection which they receive. At the same time, they only receive advantage and protection in respect of their property; they do not receive the protection and advantage which a native of this country receives from the general Government, and, therefore, it may be doubted whether it is fair to call upon them for an equal contribution. As to the policy and expediency of imposing this duty on them, in the present state of the country, and in the present state of the world, I hold the opinion—the settled opinion—that it would be both impolitic and inexpedient. The noble Earl says, that it would be no breach of faith with foreigners, because no expectation had been held out to them. From the proceedings on former occasions—from the general concurrence in exempting foreigners from this tax—from the course that the country has hitherto favourably pursued—a general and reasonable expectation must of necessity have been produced throughout all foreign countries that the same course would be pursued in all similar circumstances. There is hardly any question on which there has been such a concurrence of authority, as on this question of an exemption of foreigners from this tax. It was formerly more than once proposed that they should be included, and that proposition was brought forward by men of considerable talent, weight, and ability in the other House of Parliament. It was objected to by every financial authority of that time—it was objected to by Mr. Rose, by Mr. Huskisson, and I have no doubt that Mr. Long, the late Lord Farnborough, coincided in their opinion. I say, my Lords, that there was a singular concurrence of opinion upon the wisdom and policy of that exemption, and I do now ask your Lordships whether, in the present state of the world, it is wise or prudent to take with respect to foreigners, a more niggardly—a harsher—course than was taken before? I wish to ask the Government whether it be good policy to do that with respect to foreigners now, which you did not do with respect to them then? Are the feelings of Europe in general so very favourable, are they so willing to be conciliated, that it is wise to do that which must necessarily have a contrary tendency? We are going to try a pretty large experiment with regard to our duties on importation, with a view of extending our own trade. One great benefit which we expect, is reciprocity from foreign nations. Now, my Lords, I fear that this point of reciprocity is the weakest part of our case. I am afraid that is the point on which we ought to entertain the least sanguine expectations; but I say, is it wise to do that which must necessarily produce the feeling that foreigners are to be treated worse now than they were in former times? No doubt, the reasons which induced the exemption on former occasions were correctly stated by my noble Friend. We know very well that the great convulsion which had taken place on the continent, had brought a great deal of foreign capital into this country, and that many great capitalists derived their first connection with our funds, and the pecuniary concerns of this country from that source. Though there are no convulsions of that nature at present on the Continent, is there nothing in the money markets of the world at present—in the speculations of other countries—in the insecurity of property which prevails in other parts of the world, (to which I do not more particularly advert)—which may make it in the highest degree wise not to discourage foreign countries from taking advantage of the security which I trust belongs to the financial institutions of this country? On all these grounds I cannot but say that I do regret the course taken by the present Government, and that I should be extremely desirous to see it reconsidered.

Lord *Wharncliffe* said, that there were circumstances in former times which made it inexpedient to impose this tax on foreigners, but those circumstances did not exist at present. The noble Marquess opposite said, that they ought not to tax foreigners on account of the immense amount of British capital invested in foreign funds. He must confess, however, that that argument had little weight in his mind; for if persons were to invest their money in foreign funds, they must take their chance as to the regulations which might be made by the countries with which they were dealing. With respect to the general question which had been raised by the noble Duke (the Duke of Newcastle), it appeared to him (Lord Wharncliffe) that this was not a proper occasion to enter into that discussion.

Motion agreed to.

BRIBERY AT ELECTIONS.] Lord *Brougham*, in moving that the House resolve itself into a committee on the Bribery at Elections Bill, said that, as he had more than once stated its objects and provisions, he should now be extremely short, and he should simply state, that he had great doubt whether he ought to carry his measure beyond those committees for which it was originally framed, in consequence of what had recently occurred elsewhere, and which appeared in the votes of the other House of Parliament. His first impression was, that they ought to leave the measure as it was originally framed, and that they ought to leave it to the House of Commons to make the addition which they considered necessary. He was, however, now disposed to add those words which would embrace the committees of the same nature which appeared to have been appointed by the other House of Parliament—namely, not only committees to enquire into bribery and corruption at particular elections, but committees to inquire into any corrupt compromises which had been made in relation to those elections. He should move an amendment on this point, either on the bringing up of the report, or on the third reading. He must now express his hope that the result of the measure, and of the inquiries which it would cause to be instituted, would be such as to meet the satisfaction of the country. One thing he did most earnestly desire, and that was, that in the conduct of the inquiries in both Houses of Parliament, all parties and all persons would cordially and impartially unite. They might depend on it that it was a matter in which all parties and all persons had an equal, and he might say an identical interest. It was not an equal, but the self-same interest; and he would fain hope, in conducting these inquiries—of such immense importance, and of such very great interest as he knew they could not fail to excite all over the country—anything like party feeling, or violence, or personal motives, would, on all hands, and by all parties, be most studiously kept down and avoided.

Lord *Wharncliffe* said, that he did not rise to object to his noble and learned Friend's motion. He wished merely to suggest to him whether he thought it would be wise to carry the measure to the extent to which he now proposed, after the notice which had appeared in the votes of the other House.

Lord *Brougham* said, that the other House had only begun this subject after his bill had been read a first time and printed.

Lord *Wharncliffe* said, that the question which he wished to put was this—whether the other House would not think that their Lordships were interfering with matters which specially belonged to the House of Commons to decide—namely, the election of Members to serve in Parliament? He merely threw out this in order that his noble and learned Friend might consider what aspect his bill might have in the other House.

Lord *Brougham* said, that his bill did not at all interfere with election matters. It was merely an interference with the law touching bribery, and the perjury which might be committed in election committees of the other House, which was decidedly a breach of the law though committed in committees of the other House. He was desirous of including the subject of corrupt compromises, because he thought it would be a convenience to the other House to do so. If the bill went down with that provision, it would enable the House of Commons at once to deal with the subject.

The Earl of *Wicklow* said, he did not think that the House of Commons could imagine that this bill infringed on its privileges. It only showed the anxiety of their Lordships to co-operate in putting down one of the greatest evils which now existed, and, which, in itself, was a frightful source of immorality and perjury. He thought that the House of Commons, and the constituency of the country generally, ought to feel grateful to his noble and Learned Friend for having brought forward this measure. He rose, however, principally to say, that he did not consider that the amendment which his noble and learned Friend intended to propose would be an improvement.

Lord *Campbell* would co-operate cordially, candidly, and zealously, with his noble and learned Friend in any attempt to put down the alarming amount of bribery which was so much and so justly deplored. At the same time, he had little expectation of any good from this bill, and he had been rather disappointed, that with his great talents in legislation, his noble and learned Friend had not produced something more likely to prove effectual. The bill could do no harm, and, therefore, he supported it; but that it could produce any great good, he was not sanguine enough to hope. It had been said, that it would not apply to election committees, and one of his objections to the bill was, that it would not give power to election committees to examine candidates and sitting Members, and all persons coming before them. Another objection to the bill was, that it would not operate in a compulsory manner on witnesses, nor compel them to give the evidence required of them. This omission, he understood, was intentional, on the ground that a witness might object to answer a question which if it did not positively incriminate him, might degrade his character by forcing him to confess to the commission of practices that society condemned. It might be very well not to force witnesses to give testimony that might have the effect of degrading them; but his noble and learned Friend, the Chief Justice of the Queen's Bench, would bear him out when he said, that such was not the practice of the courts of law, where men were not only liable to be called on to answer questions that might subject them to censure, but also those that might expose them to punishment. The bill sent up last June compelled the candidate and the sitting Member to give evidence, and that was the only effectual way to prevent bribery, for by that means only could they ascertain whether a man was returned by a fair election or by improper practices. It was only by rendering bribery unavailing that they could hope to succeed in putting it down, and only by compelling a witness to answer, and indemnifying him against the consequences, would they ever be able to get at the truth. The bill sent up last June contained a provision compelling sitting Members and agents to answer questions. If a party bribed a borough, he might defeat inquiry, without such a compulsory power, indemnifying the agents: whereas, under this bill, a party might answer or not, as he pleased. The second clause in the bill was somewhat extraordinary; it gave to either House of Parliament a power of pardoning—a power quite new. A committee of either House might report in favour of a person who had not been examined, but whose name had been mentioned, but who had made no disclosure, and that person might be allowed to go scot-free. This power seemed to him to be quite unconstitutional, and likely to be much better exercised by the Crown than by either House of Parliament. For these reasons he thought that the bill would be ineffectual, and he recommended his noble and learned Friend to exert his talents in framing a measure of a more extensive nature. At the same time, if his noble and learned Friend believed the bill would do any good, and was likely to be adopted by the other House, he had no wish to oppose it.

Lord *Brougham* said, if the bill had contained a provision for compelling persons to answer, it would undoubtedly have given the measure a more efficient character; but he entertained the greatest repugnance to introducing such a provision. Let their Lordships see how the present measure worked; if greater powers were wanted, Parliament might be applied to for them. He would state at once his objection to a compulsory clause. If the natural feelings of mankind ran so counter to a compulsion, that they considered that a witness, if put upon his oath, was not to accuse himself,—if a man so examined felt that it was not a fair mode of questioning him, that it was rather a tyrannical proceeding, and almost amounted to torture, compelling him to become his own accuser,—if men's minds were so imbued, depend upon it if the power of compulsion were bestowed, he would, in self-defence (glossing it over in this manner in his own mind), commit the still more grievous crime of perjury. With this view of the matter he had abstained from introducing such a power.

Bill went through a committee.

Bill reported.

Lord *Brougham* gave notice, that on the third reading he should move the insertion of these words, "or any corrupt compromises in the case of any elections." He also moved that the third reading should take place on the next day.

Viscount *Canterbury* said, he would suggest to his noble and learned Friend, whether it would not be better to omit this amendment, as the House of Commons had already indicated its intention of taking some steps on the subject of these compromises.

Lord *Brougham* said, that his only object was to make the bill ancillary to the inquiry of the other House of Parliament.

He would, however, bow to his noble Friend's instinctive sense of what was likely to happen there, and would withdraw his notice.

Bill to be read a third time.

House adjourned.

HOUSE OF LORDS,

Friday, May 13, 1842.

MINUTES.] BILLS. *Public.*—2ª· Punishment of Death (Ireland).

Reported.—Dublin Police.

3ª· and passed:—Bribery at Elections.

Received the Royal Assent.—Exchequer Bills; Soap Duties Drawback; Timber Ships; Victoria Park; Knightsbridge and Kensington Opening; Parish Property.

Private.—1ª· Yarmouth and Norwich Railway; Dundee and Arbroath Railway.

2ª· Kington Roads; Ferry-bridge and Borough-bridge Road.

3ª· and passed:—Bristol Floating Dock; Ellesmere and Chester Canal; Equitable Gas; Saundersfoot Railway.

Received the Royal Assent.—Birmingham and Liverpool Junction Canal; Granton Pier (No. 2); Great Torrington Market; Weston-super-Mare Improvement; Liverpool Paving and Sewerage; Cottenham Drainage; Northern Coal Mining Company; Glasgow and Redburnbridge Road; Witt's Estate; Castlerigg and Derwentwater Inclosure; Kingsclere Inclosure; Buckland Inclosure; Mieville's Divorce; Fierville's Naturalization; Benecke's Naturalization; Birmingham and Derby Junction Railway; Bolton and Preston Railway; Stanhope and Tyne Railway; Sheffield, Ashton-under-Lyne, and Manchester Railway; Great North of England (Clarence and Hartlepool) Railway; Cheltenham and Great Western Union Railway; Glasgow, Paisley, Kilmarnock, and Ayr Railway; Severn Navigation.

Adjourned to May 20th.

HOUSE OF COMMONS,

Friday, May 13, 1842.

MINUTES.] BILLS. *Public.*—*Reported.*—Drainage (Ireland); Excise Duties Compounds; Australia and New Zealand; Parish Constables.

3º· and passed:—Fines and Recoveries (Wales and Cheshire).

Private.—2º· Leeds Improvement; Tadcaster Road; Lough Foyle Drainage.

Reported.—Wicklow Harbour; Brentford Gas; Faversham Navigation; Aberdeenshire Roads; South Metropolitan Gas; City of Glasgow Life Assurance and Reversionary Company.

3º· and passed:—Forth and Clyde Navigation; Dundee and Arbroath Railway; Drogheda Harbour; Guarantee Society; Liverpool Health of Towns and Buildiugs Regulation.

PETITIONS PRESENTED. By Mr. Plumptre, and Captain Boldero, from St. Luke's, Chelsea, Chippenham, Reading, Glasgow, and Edinburgh, against Travelling on the Sabbath, and for the Better Observance of the Sabbath.—By Lord J. Russell, and Sir J. Hanmer, from London, Liverpool, and Hull, against Reduction of the Duty on Rope and Cordage.—From Thornhill, for further Limiting the Labour of Young Persons in Factories.—From Aylesbury, and Hitchin, against Reduction of the Duty on Importations of Cattle and Meat.—From Dorchester, Blakeney, etc., against further Grant to Maynooth, and also for Inquiry into the System of Instruction.—From Stourbridge, and Wigan, for Equality of Civil Rights for Roman Catholics.—From Castlederg Union, for Suppression of Mendicancy (Ireland).—By Captain Rous, from Boot and Shoemakers of Westminster, against the Importation of Foreign Boots and Shoes.—By Mr. Villiers, from the British and Foreign Anti-Slavery Society, against the Continuance of Slavery under the eyes of an English Governor-General in British India.—From Fishsrwick, Drunkenfield, Manchester, and Rhuabon, in Wales, for the Repeal of the Corn-laws.—By Mr. Miles, from Shepton Mallet, against the New Poor-law System.—By an hon. Member, from Clara, King's County, against the Fisheries Bill.—From the Incorporated Trades of Edinburgh, for imposing a Tax on Real Property, and for the Rejection of the Income-tax.—From St. Andrew's, Holborn, and St. Mary's, Lambeth, for Redemption of Tolls on the Metropolitan Bridges.—From Prisoners in the Queen's Bench Prison, against the Lords' Amendments to the Queen's Prison Bill.—From Blackburn, Wakefield, and other places, against the Turnpike Roads Bill.—From the Port of Bathurst, New Brunswick, against the Commercial Reforms.—From the Deaneries of Powder, and Pyder, for Amendment of the Law of Tithes.—From Clutton Union, for Rating Owners of Cottages in lieu of Occupiers.—From H. Warburton, Esq., for Inquiry into the late Election for Bridport.—From F. T. Roberts, Esq., complaining of the late Election for Brighton.—From Stourbridge, for Exempting Institutions for Adult Instruction from payment of Rates and Taxes.

BRIDPORT ELECTION — MR. WARBURTON.] Mr. *C. Buller* said, he rose, according to notice, to present the petition of his Friend, Mr. Henry Warburton, detailing the circumstances of the late Election for the Borough of Bridport, together with the causes of the compromise then entered into, and the consequent resignation of his seat. He had given notice to the two sitting Members, on Wednesday, that he intended to present the petition yesterday, and that, on this day, he should discuss that petition, and that he should then request the hon. Member for Bath to include Bridport in his committee of inquiry. There being no House yesterday, it was impossible for him to present the petition, and he could, therefore, now only present the petition, without taking a vote upon it, as it was impossible to take a vote upon a petition of which the House had no knowledge, but he should do so the first opportunity after Whitsuntide. He should, with that view, conclude by moving, that the petition of Mr. Warburton be printed for the use of hon. Members, and circulated during the holidays. On the present occasion, he would only detain the House by a short statement of the facts detailed in the petition. Before he did that, he would, however, remark, that the petitioner complained that the resignation of the seat by him, had been the subject of comments very prejudicial and injurious to his character, and more particularly so in the course of a speech delivered by one of her Majesty's principal Secretaries of State (Sir J. Graham) at a public dinner given at a town in the same county as that from whence this petition emanated Mr. Warburton stated, that in 1826, when he stood for the borough of Bridport, it was the custom for the successful candidate to pay, twelve months after the election, 10*l.* to each voter, under the denomination of head-money; no previous promises were made, but it was understood, that the successful candidate was bound to pay this money; the petitioner states, that 2,000*l.* were paid in this way, after his first election. That there was the same understanding at every subsequent election. That after the passing of the Reform Bill, it was resolved in the borough, that head-money should not thereafter continue to be paid, two persons only dissenting from that arrangement; but that, if it should appear, that some of the poorer electors had still been guilty of bribery in this way, the petitioner hoped, that they would not be judged of too severely on that account, but that their general conduct, in other respects, would be considered. He stated, that the usual expenses of the election, were from 1,500*l.* to 1,700*l.*, of which, 100*l.* consisted of the cost of dinners after the election, and 490*l.* for the expenses of the processions. That he was assured by his agents, that the expenses paid were only the usual expenses, and that large sums were paid for breakfasts at the election. That Mr. Mitchell became a candidate at the last election; and that from some correspondence which the petitioner saw, he understood the friends of Mr. Mitchell expressed their determination to carry that election by bribery, if other means failed; and that if open inquiry be granted, this fact could be proved. The petitioner states further, that Mr. Mitchell stood, and was returned; that bribery did take place, not with the congnizance of the petitioner, but under the direction of Mr. Mitchell or his agents; that Mr. Hutchinson was one of Mr. Mitchell's agents, to whom the petitioner's agent paid certain sums of money; and the petitioner admits, that without any interference of his own, he was mixed up in the transaction in a way which compromised his seat? but, he urges, that as the bribery was conducted by Mr. Mitchell and his agents, it was that Gentleman who ought, in justice, to have resigned his seat, and not the petitioner; but that after the petition was presented against the return, the petitioners, not finding that Mr. Mitchell was inclined to resign, intimated to Mr. Cochrane, the petitioner and the unsuccessful candidate at the election, that he, the petitioner (Mr. Warburton), would resign, if Mr. Mitchell did not, before the expiration of the fourteen days allowed for presenting election petitions. The petitioner accordingly accepted the Chiltern Hundreds on the 8th of September, and on the 17th, Mr. Cochrane was elected without opposition. After the election, a letter was sent to the petitioner, from Mr. Cochrane's agent, acknowledging the highly honourable manner in which he (the petitioner) had acted, in reference to the compact which had been so entered into. The petitioner then went into a minute history of the transactions respecting the election, and subsequently stated, that Mr. Warburton's expenses at the last election had amounted to 2,150*l.*, Mr. Mitchell's to 3,200*l.*, and Mr. Cochrane's to a considerable sum, the exact amount of which was unknown to the petitioner. The petitioner concluded by praying, that his petition might be referred to the select committee about to be appointed to investigate similar compromises which had taken place in reference to other elections, before which committee the petitioner would be willing to attend, to give every information in his power. It was his intention to move that this petition be printed with the votes.

Mr. *Cochrane* would not then enter into the particulars of what had occurred at the last Bridport election; but having yesterday received from the hon. and learned Member for Liskeard a note, stating it was his intention to present the petition that evening, he had not anticipated that the hon. Member would have taken that opportunity of reading out certain parts of the petition affecting the conduct of the sitting Members, without bringing any motion before the House, in accordance with the prayer of the petition. His hon. Colleague was not present, and could not have anticipated, that the matter would have been so adverted to. He would not then enter into any explanation with reference to what had passed at Bridport at the last election; but he felt great satisfaction, that as regarded the questions between himself and Mr. Warburton, he should have an opportunity next week of laying a statement fully before the House. After that statement should have been made, he felt satisfied that not even the shadow of an imputation could rest on him, and that not even the breath of slander could tarnish his character. If he had acted at all erroneously, his error had arisen from over-sensitiveness and over-regard for the interests of Mr. Warburton. If he had acted as many others would have acted under similar circumstances—if he had acted with a feeling of selfishnesss, he should not have been subjected to the great anxiety from which he had suffered, since he had become the representative of that borough. He should avail himself of an opportunity on Friday next, of laying before that House a full and entire answer to the petition which had just been presented; in the mean time, he would express his conviction, that that answer would add to his own character as a Gentleman and man of honour, while he felt assured, that it would reflect no credit upon the hon. Gentleman who had signed the petition.

Mr. *Mitchell* said, that he had not been aware that it was the intention of the hon. Member for Liskeard to read any portion of the petition, and he had not on that account taken care to be present during its presentation. He had thought that the petition would have been presented in the usual manner, and that it would have been printed with the votes, in order that every hon. Member might have had an opportunity of examining its contents. He had entered the House only three minutes before the hon. and learned Member had concluded, and was therefore ignorant of the allegations it contained; but, without undertaking to answer the various allegations of the petition on that occasion, he would take that opportunity of giving his direct and positive denial of the few words which he had heard, at the end of the extracts read by the hon. and learned Member for Liskeard, to the effect that a gentleman of the name of Hutchinson had acted as his agent in spending his money at the election. To this assertion he gave an explicit denial; and he could not help expressing his surprise that Mr. Warburton should have condescended to make that statement without first ascertaining whether it was true or false. With regard to the other allegations of the petition, which he had not heard, he should be prepared, when he was made acquainted with them, to give every explanation in his power.

Mr. *C. Buller* had thought that a petition of this nature would have been read by the Clerk at the Table. At all events the hon. Gentleman could not complain of the course he had taken, as he had given him an opportunity of denying a statement which he had declared to be untrue. He would now move that the petition be printed and circulated with the votes for the use of Members only, as was usually the course when Members of that House were implicated, and he would give notice that on that day week he should call the attention of the House to the subject of the petition, and move that it be referred to the committee which had been appointed on the motion of the hon. and learned Member for Bath.

Petition to be printed.

SYRIA—OMAR PACHA.] Lord *Palmerston* rose for the purpose of putting a question to the right hon. Baronet at the head of her Majesty's Government relating to Syria. He had been informed within the last few days that accounts had reached this country, stating that Omar Pacha whose conduct had been the subject of some discussion in that House a short time since, had kidnapped and sent to Constantinople either five or seven of the leading chiefs of the Druses. He wished to know whether Government had received any account of such a transaction. There was also another question which he was desirous of putting, but which he would refrain from asking on the present occasion, from the impression that the right hon. Baronet would not feel justified in answering it. He would, however, venture to express a hope, if the circumstance to which he had alluded should actually have happened, that the Government would find in the nature of the case sufficient grounds to justify them in at least exerting their good offices at Constantinople in favour of those persons who, according to report had been thus treacherously removed from their own country and sent into banishment. Without, therefore, calling upon the Government to state the course which they intended to pursue, he wished to learn from them whether they had received information detailing the occurrences to which he had alluded.

Sir *R. Peel* would give the noble Lord the whole information in the possession of the Government. Shortly before the sailing of the vessel which brought the last account from Syria, intelligence had been received by our agents there, that five chiefs of the Druses had been apprehended by Omar Pacha, under these circumstances. They had been invited to dine with him, and had accepted that invitation, their natural impression, of course, being that the Pacha's disposition towards them was friendly. On this occasion it was that they were apprehended. From the accounts which he had received, it appeared that they had not been sent to Constantinople but to Beyrout. Various cause had been assigned for this conduct; but, as none of them rested on any solid foundation, he did not feel justified in referring to them. The fact, however, appeared to be that these chiefs had been apprehended by Omar Pacha, with respect to whose appointment he had expressed an opinion the other night, under the circumstances which he had just stated. Of course the power of intervention in the affairs of the Ottoman empire possessed by this country must necessarily be limited, but he begged to assure the noble Lord that every possible representation should be made in order to induce the Turkish government to do justice to these injured individuals.

Dr. *Bowring* had understood a recommendation to have proceeded from this country to the Ottoman Porte, urging the dismissal of Omar Pacha from his command; he wished to know whether any attention had been paid to it?

Sir *R. Peel* said, that certainly from communications which he had received, he was led to suppose that the appointment of Omar Pacha would not be persevered in; he had, however, received no intelligence as to his removal. From recent events his former impression as to the impolicy of his appointment had been confirmed.

Subject at an end.

NEWCASTLE-UNDER-LYME.] An Hon. *Member* moved that the Speaker do issue a writ for the election of a burgess to serve in Parliament for the borough of Newcastle-under-Lyme, in the room of John Quincy Harris esq., whose election has been determined to be void.

Lord *J. Russell* said, it was better the writ should be suspended until the evidence adduced before the committee was laid upon the Table.

The hon. *Member* withdrew his motion, and moved that the minutes of the proceedings of the committee of the Newcastle-under-Lyme Election Petition and of the evidence taken before them be laid before the House.—Agreed to

DISTRESS — NUMBER OF PAUPERS.] Mr. *R. Yorke* begged leave to ask the right hon. Baronet at the head of her Majesty's Government a question of which he had given notice. The question he desired to ask was, whether the Government had instituted or intended to institute—sanction, or intended to sanction — any public subscription for the relief of the destitute districts of the country.

Sir *R. Peel* said, that such was undoubtedly the intention of her Majesty's Government. The exemplary patience with which the distress had been borne in the country generally had induced her Majesty's Government to institute a public subscription through the medium of a Queen's letter, and he sincerely trusted that the appeal would be generally responded to.

Captain *Mangles* had understood the right hon. Baronet the Secretary for the Home Department, in his speech on the Poor-law Amendment Act the other evening, to state that 1,200,000 persons were in the receipt of relief. He wished to know if this were the case. He wished also to ask the right hon. Baronet whether he had any objection to lay a statement on the Table of the House which would show what proportion of those receiving relief belonged to the agricultural, and what proportion belonged to the manufacturing classes of the population.

Sir *James Graham* said, that he had stated the entire number at 1,072,000, exclusive of relief administered under local acts, those receiving in-door relief at 159,000, and those receiving out-door relief at 913,000. He had no returns showing the proportions required by the hon. Member.

ELECTION PROCEEDINGS.] Mr. *Roebuck* said, that his desire in selecting a committee for the purpose of inquiring into the compromises entered into during the recent elections had been to do justice to all parties, and so to frame the committee that the object of the present inquiry might not be frustrated. It had, therefore, been his earnest wish, to take all possible pains to meet the wishes of all parties, and, if possible, so to frame the committee, that they should command the attention and consideration of the House, and, through them, the attention and consideration of the country; and he hoped that, acting on the suggestions of the right hon. Baronet on the last occasion when this subject was under discussion, he should be enabled to obtain that result. Without further preface, therefore, he would read to the House the names of those hon. Gentlemen whom he wished to place on the committee. One noble Lord (Lord F. Egerton), whom he had desired to include in the number, had been compelled to decline the duty on the ground of ill-health. The names were, therefore, Mr. Bramston, Mr. W. Miles, Sir W. Heathcote, the hon. W. S. Lascelles, Sir W. Somerville, Mr. Hawes, Mr. Strutt, Lord Worsley, and himself.

Sir *W. Somerville* begged that his name might not be included in the list, as he was already a Member of the general committee of elections, which, together with other duties, he feared would prevent him from effectually discharging his duty as a Member of the committee now under discussion.

Mr. *Roebuck* hoped that his hon. Friend, whose services would be peculiarly valuable, would not press his objection.

Sir *W. Somerville* consented to waive his objection.

Mr. *M. Milnes* hoped, that no final step would be taken on the present occasion, because he believed that the result of a few days' consideration had been a feeling that the House had done wrong in appointing a committee at all. He believed that the House in granting this committee, had been actuated simply by a want of moral courage, and every hour of reflection since the appointment of that committee had strengthened that feeling in his mind. He did not feel himself called upon to accuse any hon. Member present of a want of moral courage; neither did he accuse the Government, for it was no party question, or the right hon. Baronet, who, in his humble judgment, had expressed somewhat exaggerated sentiments on the subject to which this committee had reference. He believed that if this committee should be granted, the House would enter upon a course of which they could not foresee the end. He thought, nevertheless, his hon. and learned, and, he might almost add, his gallant Friend, perfectly right in bringing the matter before the House. Still, however just the course of the hon. and learned Gentleman might be, he could not view without apprehension the appointment of this committee, the consequence of which might be to hold up certain Members to public obloquy for doing that which every individual whom he now addressed well knew had never hitherto been regarded as morally or legally wrong. The committee would be formed to investigate matters which upon all sides of the House were admitted. He believed that they were but commencing a career which would end in nothing but confusion. It would appear that they were speaking inside this House in a different tone to that which characterised them outside. He believed that if there was proved to be a great necessity for this committee everything else should give way to it. He, however, did not admit the existence of this necessity. He did not admit that this system of bribery and corruption was by any means so large and extensive as hon. Members appeared to think. If he did admit this, he felt that he should also admit the irresistible conclusion, which he thought should naturally follow such admission, that the people of this country were not fit to have the representation of the country confided to them, and that they had received a gift which they had abused; that whatever rights had been given to them by the Reform Bill, had been conferred on them for their detriment, and not for their good. The motion of which the hon. Member for Rochdale had given notice was, in his opinion, but a delusion and an absurdity. By the appointment of this committee, the House would be saying that the people of this country had abused every power which was confided to them in the election of their representatives; that they had been grossly corrupted because they were so easily corruptible. He believed that the alleged increase of bribery and corruption was simply owing to the increased vigilance which was abroad; it was owing, he believed, to the increased value which every man set upon a seat in this House. He believed that this committee was uncalled for; that they were setting out on a wrong principle altogether, because they were now endeavouring to make people out of doors believe what they did not nor could not believe themselves. He would, therefore, give every opposition in his power to the appointment of this committee.

Mr. *Hume* said, that it was very well for the hon. Member to speak of himself, but he begged to remind the hon. Member that he began his speech by saying, that the whole House and all persons knew that these malpractices had been committed.

Mr. *Milnes* begged the hon. Member's pardon, but he meant to say, that the House was very well aware of everything with regard to these arrangements.

Mr. *Hume* understood the hon. Member had argued against this inquiry altogether, and founded his objections upon the fact, that they all knew already the existence of the evils. It appeared, however, that he did not understand the hon. Member correctly. The hon. Gentleman, however, objected to this inquiry, though, at the same time, he did not deny that in some instances bribery and corruption had existed. If the hon. Member admitted so much, he must also admit, that the facts which had been brought before the House must be also believed. Whatever opinion the hon. Member might entertain of the people of England, he believed that they were more honest than the hon. Member would lead us to believe. In his opinion there were no means which would prove so effectual in putting an end to these evils of which they now complained than by largely extending the suffrage, and doing away with the monopoly which now existed in the franchise. Let a law be passed which would give every man liable to taxation a vote in the election of Members of that House. He hoped that nothing would stop the progress of the present inquiry.

Sir *J. Walsh* did not think he was addressing himself to a subject altogether beside the question if he called the attention of the House not only to the extent and importance of those duties, but to the change which had been made in the nature of those duties, and to the greater width of the objects which would be given to this committee by the introduction of certain words into the motion of the hon. and learned Member for Bath at the close of the discussion on Monday night, of which addition a great part of the House was totally and entirely ignorant. He would begin by saying that he disclaimed making any charge of an unfair nature against the hon. and learned Member for Bath. He could perfectly conceive that the hon. and learned Gentleman had no intention whatever to take any advantage of the House or to make any alterations in the terms of his motion in a furtive or clandestine manner. While, however, he acquitted him of such misconduct, he was then, as a Member of this House, to deal with results, and consequences, and effects, and not with intentions. If, in characterising such results, he should apply any terms too strong to the subject, he begged the House to believe, and the hon. and learned Member himself, that he would do so without any intention whatsoever of violating that respect which was due to this House, and that respect which he should always feel for the talents and abilities of the hon. and learned Member who had brought the question forward. While saying this he contended that the hon. and learned Member did introduce into the original motion put into the right hon. Gentleman the Speaker's hands most important principles, and a subject not at all contemplated by the terms of the motion as it originally stood. ["Question"]

The *Speaker* begged to inform the hon. Baronet, that if it were his intention to move for any alteration in the motion of the hon. and learned Member for Bath he should give notice of such intention, when it could be discussed upon some future occasion. The question which was now before the House was one respecting the names of those hon. Members who should form this committee, and to that it would be necessary for the hon. Baronet to confine himself. If the hon. Baronet had any objection to make to those hon. Gentlemen who were already mentioned as those who should form this committee, the hon. Baronet could of course state it.

Sir *J. Walsh* could only say that he conceived the duties which the committee would have to perform would necessarily be of a most important nature, and, being such, they should be most particular in their selection of such hon. Members as would be competent to discharge those duties with efficiency. He had ventured to address some observations to the alteration which had been made in the hon. and learned Gentleman's motion, but if the House should be of opinion that the consideration of such a subject did not bear upon the question now before the House, he should of course defer to that opinion, and take another opportunity of pressing this point upon the consideration of hon. Members, which he thought was well worthy of their attention. He was therefore quite in the hands of the House, and he should of course bow to its decision. The connection which he wished to establish between the question itself, the nature of the present motion, and the Members who should form this committee, would, he thought, warrant him in entering upon the subject with which he had commenced his observations. He should wish to learn from the House if he would be out of order in continuing his observations under those circumstances. [" Question "] Well, then, he supposed he was to understand that he could only object to the names already proposed to form this committee. He would therefore proceed by saying that he had an objection to some of the names which were proposed. He thought he could make his objections without mentioning certain names, which would render the task he undertook most disagreeable and invidious. He conceived that hon. Members might be spared the painful task of objecting to certain names without stating reasons of a personal and invidious character. He was saying, that in a manner perfectly unexpected by the House, the hon. and learned Member had extended, considerably, the duties of this committee, which rendered it necessary that they should select hon. Members of the highest character for professional and legal eminence to form this committee. He conceived that on all ordinary occasions, perhaps, they should not appeal to such hon. Gentlemen, nor would they be justified in withdrawing them from their professional avocations. He, however, conceived that on the present occasion, considering the subject in the aspect in which the hon. and learned Gentleman had placed it, they would be perfectly justified in appealing to the professional Members of this House, who ought to lend their services to a question like this. There was a voice which once commanded the universal attention of this House—a voice that whenever its tones were uttered, all those who could appreciate the talent or admire the genius of the greatest living orator of the day, would follow and endeavour to catch the accents wherever they would flow. He did hear a certain noble and learned Lord not very long ago in commenting upon the composition of election committees—he did hear that distinguished individual say, that he was surprised and he much regretted to find those great professional names which would have given weight and effect to the deliberations of any committee, and authority to the judicial decisions of any assembly, were absent from the lists of those election committees. And the noble and learned Lord, who, no doubt, well knew his own profession, and those liberal feelings which actuated it, had further said, that whatever personal sacrifice men of the highest professional ability would subject themselves, he was certain, nevertheless, that they would be found most willing and desirous to contribute their assistance, if it was deemed necessary, in the fulfilment and discharge of those duties, which, as Members of this House, they might be called upon to give. Having said that, he considered this was a question of such importance, and of such a judicial character, the House, he thought, was fully justified in asking those Members of high professional eminence to allow themselves to be placed on this committee. He now asked if he were out of order if he endeavoured to trace those duties which would be imposed on this committee, and to show that they partook of a judicial character. From the extended form given to the motion by the alteration which had been made in it, it embraced objects of importance sufficient to justify the House in an appeal to professional assistance, however eminent. If the motion of the hon. and learned Member for Bath, as originally framed [*cries of* " Order ;"] he begged leave to refer to the original notice that that hon. and learned Gentleman had given, which was for a committee to inquire into certain practices connected with the elections of certain hon. Members, and to ascertain whether such practices were not gross breaches of the privileges of this House. That was the tenor of the first notice. The motion, however, which was founded upon it was,—

> " That a select committee be appointed to inquire whether, in the cases of the election petitions presented to that House from Nottingham, Reading, Harwich, Lewes, and Falmouth, there has not been a corrupt compromise entered into for the purpose of withdrawing from the investigations of the committees appointed to try the merits of these petitions the gross bribery practised at them."

This was the amended motion of the hon. and learned Member, and not the one which was first submitted from the Chair of this House. He contended, that this involved a judicial inquiry of great importance, an inquiry which concerned not only the honour and character of several Members of this House, but also a judicial inquiry in which the interests, rights, and privileges of those electors were concerned who returned nine representatives to this House. Was this number, nine, so trivial a part of this House? He recollected the time when upon the voice of nine Members hung the fate of the Ministry. And he did not think it impossible that in fifty years hence the votes of nine hon. Members of this House might turn the fate of the monarchy itself. As the motion of the hon. and learned Member originally stood, it was impossible he could ground upon it his objection to the issuing of the writ for Nottingham, or that he could have asked for the suspension of that writ; but it was upon his amended motion he did ground his objection to the issuing of that writ. He should remind the House that it was a serious thing to move for the suspension of a writ, and nothing should justify such a proceeding, except some very strong grounds indeed, and when it was contemplated to have recourse to ulterior legal proceedings against the borough itself. The consequence he would then draw from the hon. and learned Member's motion was this, that it was possible on the report of this committee that ulterior proceedings would be taken against the borough of Nottingham, it was equally possible that ulterior proceedings would be taken against all the other boroughs mentioned in the motion. Therefore, in point of fact, the House had brought itself to this position. It had voted a committee which might be said to combine the subject matter of five election committees in one. That was a case which required the assistance of the hon. Members of professional and high legal character in this House. He entertained the highest respect for the Gentlemen appointed to serve on this committee, and he need not say that he felt the greatest respect for those hon. Friends of his own who were chosen from his side of the House. Yet he did say that, though they took an occasional and highly creditable part in the deliberations of this House, he did not feel, and he said this frankly and openly, that they were sufficiently acquainted with the privileges and practices of this House, nor had they that legal and professional knowledge which it was so necessary they should possess to have such duties as those entrusted to them. He wished to make no invidious observations, for a number of his own personal friends had been selected to form this committee; but he considered that this was a question of such immense importance, a question into which in his opinion the assent of the House was in a great degree surprised, that he for one should raise his feeble voice in favour of a full and fair investigation into it. It should be recollected that this inquiry was to be taken for a committee not upon their oaths, and who were not bound to hear all the evidence which might be adduced on the occasion. He would not have the rights and privileges of so large a portion of the electors entrusted to this committee if he had known the exact nature of the motion of the hon. and learned Gentleman. Since, however, the consent of the House had been surprised into this committee, he thought that the only remedy they could apply would be to make an appeal to the gentlemen of the greatest professional eminence and legal information to assist them in this inquiry. In the spirit of the noble and learned Lord who answered for those gentlemen, he was sure they would respond cheerfully to the call which would be made upon them, and would give their assistance to an investigation wherein the rights and privileges of so large a portion of the constituencies of this country were involved.

Mr. *Cochrane* said, that having been informed that the presentation of the petition from Mr. Warburton was advised by the hon. Member for Derby, he thought he had a right to ask that hon. Member whether he was a party to those extraordinary proceedings in which he was so interested? He asked the hon. Member this question in consequence of having seen his name mentioned as one of the Members of this committee.

Mr. *Strutt* wished the hon. Member would repeat his interrogatory, as he did not rightly understand him.

Mr. *Cochrane* said, in the course which Mr. Warburton had taken with respect to a petition demanding that Bridport should be added to this inquiry, he was advised that the hon. Member for Derby advised this proceeding. And for the reasons already stated he felt himself justified in asking the hon. Member if such was the fact?

Mr. *Strutt* said, he was glad that he could contradict the report, that he had given Mr. Warburton any such advice whatsoever. He thought he did hear that Mr. Warburton had some intention to present such petition. But if he did hear that, it went to the extent of his recollection on the subject. He was not aware that he had ever stated any opinion upon the subject. And he was not aware of the contents of this petition until this night, when they were mentioned by the hon. and learned Member for Liskeard.

An hon. *Member* on the Opposition side of the House said, as one of the Members lately returned to the House, he wished to ask the Speaker whether the system of putting questions to hon. Members not connected with the Government was strictly in order? He wished to ascertain the opinion of the Speaker, as some doubt existed on the subject.

The *Speaker* said, the strict practice of the House was, that questions should be confined to the orders of the day. The rule with regard to answering questions had been considerably relaxed, and questions were now put to the Members of the Government with respect to the general policy of the Government, and to hon. Members with respect to particular measures with which they were connected. Further than that, he never knew the rule to be relaxed until the hon. and learned Member for Bath lately put certain questions to hon. Members.

Mr. *Milnes*, in voting for the committee, wished it to be understood that the arrangements and compromises referred to had nothing to do with bribery and corruption.

The names of Mr. Bramston, Mr. W. Milnes, Sir W. Heathcote, the hon. W. S. Lascelles, Sir W. Somerville, and Mr. Hawes were then severally put and agreed to.

Sir *W. Somerville* said, the situation in which he had been placed was not a very enviable one; but he should be sorry to let his private feelings interfere with his public duty, and if he could be of service in facilitating the object in view, he should be happy to give his attention to it.

Mr. *Strutt* said, as some objection had been taken to his name, he should be extremely glad to be excused serving on the committee. He did not wish to shrink from any duty which the House might impose upon him, but if any Gentleman objected to his name being placed on the committee it would not give him the slightest offence; on the contrary, he should have great satisfaction in being excused from serving.

The names of Mr. Strutt, Lord Worsley, and Mr. Roebuck were then put and agreed to.

On the question that five be a quorum,

Mr. *T. Duncombe* said, that supposing two out of the nine Gentlemen named should not attend the committees, the number would then be reduced to seven. He objected to any quorum being named, and thought that all the Gentlemen nominated ought to attend, as they were bound to do when appointed to try the merits of election petitions.

Lord *Pollington* said, that when an accusation was made against the right hon. and learned Gentleman the Member for Cork, Mr. Hardy was objected to on the ground of being the accuser. In the same spirit he objected to the hon. and learned Member for Bath being placed on the committee.

The *Speaker:* The hon. and learned Gentleman has already been appointed.

Sir *R. Peel* said, he did not see how the attendance of hon. Members could be enforced. It was of the utmost importance that those Gentlemen who undertook the duty should do so with the understanding that their attendance should be regular. If, unfortunately, any individual Member should be prevented from giving his attendance, the House ought to have the opportunity of immediately supplying his place. That, however, would be an imperfect remedy for his absence, because any new Member would have to commence with hearing only the latter part of the evidence. He trusted that those Gentlemen composed the committee would feel it their duty to be regular in their attendance.

Mr. *T. Duncombe* said, he would at once move that nine be the quorum.

The question was put that the word "five" stand part of the question.

Lord *F. Egerton*, having served on two committees of an analogous description, wished to state these precedents for the guidance of the House. It was understood that on both these committees the attendance should be precisely the same as on an election committee — that no Gentleman should absent himself from their sittings.

Mr. *Bramston* said, having been nominated on the committee, he would endeavour to do his duty to the best of his ability. He trusted the House would make an order that the committee should meet in full number. It was due to the committee, to the House, and to the important matter they were about to take in hand, to be regular in their attendance; and they ought to consider themselves precisely in the situation of an election committee.

The *Chancellor of the Exchequer* believed the rule of the House to be this, that the whole body must attend.

Lord *J. Russell* thought it very desirable that the whole of the Members of the committee should attend; and he believed that to be the general opinion of the House.

Amendment and the original motion both withdrawn.

Mr. *Roebuck* then moved that the committee have power to send for persons, papers, and records.

Mr. *T. Duncombe*: Sir, as this is the proper time to submit to the consideration of the House the amendment of which I have given notice, and as I have made some slight alteration in the wording of it, I will at once read it to the House:—

> "That each Member appointed to serve on the select committee on compromises of election petitions shall subscribe the following declaration, in the presence of Mr. Speaker:—
>
> "I ——— do solemnly declare, that I never, directly, or indirectly, have to my knowledge been guilty, by myself or agents, of any act of bribery, treating, or corruption in procuring a seat in Parliament; that I never paid or promised to pay, intend to pay, or sanctioned the payment of, any sum or sums of money, beyond the legal charges for procuring my return for my last or any previous election; nor have I, at any time, connived at, been privy to, or assisted in, any bribery, treating, or other corrupt practices, at the election of any Member or Members to serve in Parliament.
>
> (Signed) "———."

Sir, at the close of the last Session of Parliament I took the liberty of asking the right hon. Baronet whether it was his intention to introduce during this Session of Parliament any bill or measure for the purpose of preventing bribery, corruption, and intimidation; and I stated my reason for putting that question to be this, that it was notorious that, at the last general election, more bribery, more corruption, more treating, and more intimidation prevailed than ever were known in the most corrupt days of the most corrupt Parliament that ever existed. The right hon. Baronet then informed me that from the pressure of other measures, and the state of the public business generally, he could not take upon himself to introduce any measure of that sort—that he trusted the noble Lord the Member for the City of London would proceed with the measure which he had introduced in a former Session of Parliament. But, at the same time, the right hon. Baronet said he was sorry to be obliged to confess that at the last general election gross bribery, corruption, and intimidation had prevailed. The right hon. Baronet could not say whether it existed to the extent which I stated to the House, but he seemed to intimate that I was better acquainted with the details of this corruption. I stated that if any individual in this House had the slightest doubt upon the subject, I would undertake to prove at the Bar of this House that a very considerable majority of the Members now sitting in this House were returned by gross bribery, corruption, and intimidation, and I am still prepared to prove that assertion. I did not propose to have this great question considered on one of your election committees, where private animosity and personal feelings so much prevail. No: I wished this inquiry, impeaching the integrity of this House, to be instituted at the Bar of the House, in the face of day and of the whole country; and I must say that the opinion of the public with regard to all these transactions—with regard to your conduct during the past week—is one of unmitigated disgust ["Oh, oh"]—it is one of unmitigated disgust, in consequence of the injustice and hypocrisy of your proceedings. The public know just as well as I do that you are going to prosecute some six or eight individuals, when there are six hundred of you equally guilty. There is that sense of justice among the British public, that they do not like to see some eight or ten individuals hunted down by 600 others equally guilty. 3,500,000 of the people of this country came the other day and told you so by their petition. You did not choose to hear them. You would not let them come here and prove it. What did they state in that petition which has been so unjustly maligned? This is the opinion of 3,500,000 of the industrious classes of the country:—

> "That your petitioners complain that by influence, patronage, and intimidation, there is at present no purity of election; and your petitioners contend for the right of the ballot. That your petitioners complain that seats in your honourable House are sought for at a most extravagant rate of expense, which proves an enormous degree of fraud and corruption."

They state, and state most truly,—

> "That bribery, intimidation, corruption, perjury, and riot prevail at all parliamentary

elections, to an extent best understood by the Members of your honourable House."

That is an exact description of the public feeling with regard to the system of bribery pursued by hon. Members of this House, and this accounts for the unmitigated disgust with which they view these partial proceedings on the part of this House. But if we are to have this tribunal—if this tribunal is to be established, at all events let us see that those Gentlemen who are, to a certain extent, voluntary inquisitors—let us see that they ascend the judgment seat with clean hands. That is the object of my amendment. I agree with what the right hon. Baronet stated during a former discussion, that public confidence would naturally depend upon the composition and constitution of this committee. No doubt of it. This committee ought also to be presided over by a gentleman of great legal ability—by a man of the greatest calmness, and temper, and moderation of language. Such an individual, and such a tribunal, so constituted, would command the public confidence, and their decision would then have a chance of giving satisfaction. I have heard it stated that, if the House should agree to the test which I propose, the probability is that a sufficient number of Members will not be found to serve on the committee. I do hope that it is not true—that there are at least nine men who are pure and free from all this misconduct which I have been describing. I can only say if I had been nominated on this committee I could not have taken this test. I certainly could take it as the representative of Finsbury, but, unfortunately for me, I was once a candidate for the very pure and immaculate borough of Pontefract. I spent 4,000*l.* in Pontefract. I have no hesitation in saying that that money was spent in gross bribery, treating, and corruption. I was defeated. My Lord Pollington and an hon. Gentleman's father assisted in defeating me; and I shall not believe, until the hon. Member opposite rises and says so, that any one is ever returned for Pontefract without bribery. Unfortunately I have also stood contested elections for Hertford, and in five contested elections I three times succeeded and was twice defeated; and I must state to this House, as I am now impeaching the conduct of its Members generally, both in their individual and collective capacity, that I left behind me at Hertford considerably above 30,000*l.* I had to contend with very great aristocratic influence in that neighbourhood, and I believe it cost them more money. I had to contend with seven days' leases. Those poor tenants who held under seven days' leases were turned out when they disobliged their landlords. The great landlord there was my Lord Salisbury. These tenants were discharged unless they fulfilled the wishes of their landlord. When they were turned out, I had to furnish them with houses. I built or bought sixty-three houses for them. A great portion of the money went in that way, and a considerable portion was spent in treating and bribery. I think I have clearly proved that I am not innocent of this matter, and I want to find out those Simon Pures who are innocent. I am sure they will be the admiration of the country. The people will flock down to the House to see them, and when they finish their labours in committee they will be ready to report against those Gentlemen who are now accused of these practices, of which the great majority, if not the whole of the House, have been guilty. After having made this confession, I do not think it is necessary for me to say more. I only hope that no objection whatever will be made to this test being applied to the committee. If any Gentleman who is nominated on the committee cannot attend, a fresh Member will be appointed, who will then have to take this test. If the House should not consent to apply the test to hon. Members, I should like to know what the public will think of it? I can only say, if you do not agree to the test, it will be my duty immediately after the holidays to move an address to her Majesty, praying that, in consequence of the indecent exposures which have taken place, her Majesty will be graciously pleased to dissolve the present Parliament, in order that all Members in future may be deterred from pursuing the system of bribery, corruption, and intimidation which was practised at the last election, and that the House may be restored to that confidence and that public esteem which is essential to its authority as a legislative assembly. The hon. Member concluded by moving his amendment.

The question was then put.

Lord *Pollington* said, that the hon. Member who had just down had applied such language to the borough which he represented, that he felt it his duty to rise and inform the House of the circumstances of the election to which the hon. Gentleman had alluded—he meant the election when the hon. Gentleman stood for Pontefract. That election was unsuccessful, and he would tell the House why it was unsuccessful. It was unsuccessful because they could not succeed in corrupting the people. Some time previous to the election a gentleman connected with the borough, with local influence—he did not apply the term invidiously—he meant that influence which high character gave in the neighbourhood—(and so he was one himself, if he might use the term)—came down, and there was a very severe contest indeed, and the memory of that contest remained to this day in the town. There was also no bribery alleged in the town to any amount, with one exception, which his hon. Friend reminded him of. All these gentlemen — these strangers who came to Pontefract, and attempted in vain to corrupt the people, were from that side of the House on which the hon. Gentleman sat. In 1834 he was himself absent from England, but he was proposed by some friends as a candidate. A gentleman then well known, Mr. Raphael, formerly sheriff of London, went to Pontefract in his sheriff's coach. He was asked whether he was a Jew, and his answer was, that he was not a Jew, but he was as rich as one. He went down with a very large sum of money. He paid into the bank 4,000*l.* The House would observe that he was unsuccessful. He knew one honest man who had been offered a high bribe by the agents of Mr. Raphael, but he refused the bribe and voted for him. If bribery ever prevailed in the borough it was owing to these three gentlemen, whom he had mentioned, all belonging to the other side of the House. He did not believe that it was general. He believed that the few persons who might still be disposed to accept a bribe were fast dying off, and that a better class of voters were taking their places, and he made no doubt that if these imputations were true (which he denied), very shortly the borough would be entirely rescued from any such practices.

Mr. *Milnes* said, that in two elections for the borough of Pontefract he had never heard the subject of bribery so much as alluded to. The question which the hon. Member for Finsbury had brought forward carried with it such an excellent *reductio ad absurdum*, that if the hon. Member divided the House he must vote with him.

Mr. *Hardy* hoped, that as he had been alluded to, not only on this but on other occasions, he might be allowed a few minutes in explanation. He certainly had the misfortune to be a candidate for the borough in 1826, but he had the good fortune at that time to prevail on the returning officer to take the election in one day instead of two days, which would have afforded the opportunity of leaving the previous night open to certain practices. To avoid those practices he prevailed on the returning officer to have the election on that day. He was told when that day was considerably advanced that if he spent 500*l.* and allowed a certain sum to be put into the hands of the electors, he would win the election. He totally refused to do that. He declared before the House, and before a higher tribunal, that he was not cognisant of the least bribery at that election. To show in what way he considered his own conduct, he would mention that when the committee sat, in which a gentleman below him was his nominee, he put himself in the witness-box that he might be examined by the counsel on the other side, and they did not choose to put a question to him which imputed improper conduct. His late excellent friend Daniel Sykes had mentioned the legitimate expenses at Hull as 300*l.* In consequence of the *prava consuetudo* which prevailed at Hull, and which seemed to prevail at Pontefract every gentleman, who was considered a gentleman, was bound to pay that, otherwise it was not possible for him to show his face. He certainly did pay that, but he took care that that should not be the means of introducing him to the constituency again, although he was strongly solicited. That was the head and front of his offending. As to bribery, he was ready to state before the House and a higher tribunal that he knew nothing of it.

Mr. *Ward* wished, before the House divided, shortly to state his reason for voting against the motion of his hon. Friend. He regarded this as an attempt to cast something like ridicule on what he conceived to be a grave and useful proceeding; and when he found an inquiry conducted, as this had been, with temper, tact, and fairness, approved of by the House, and likely to produce a useful result, he would not oppose an obstacle in the way of it, by framing a test which was so impracticable—so ill defined, because nobody knew what legal expenses were. He did not think that any man on either side of the House could take the test with anything like safety of conscience. By act of Parliament the legal expenses of an election were strictly defined. The hon. Member had made the test too stringent. He looked upon it simply as an attempt to interfere with the motion of his hon. Friend near him, in which he cordially concurred, and therefore he should vote against him.

Sir *R. Peel:* I shall vote for the proposal of the hon. and learned Member for Bath. The House knows of the committee which it is proposed to appoint, and can judge of the character of the Members whether they are qualified to discharge their duties. In my opinion the committee, constituted as it is, are qualified to discharge their duties as honourable men. In the selection of election committees, constituted under the act of Parliament, you impose no such test as this which the hon. Gentleman proposes. You do not consider them as disqualified from adjudicating upon the case of election committees—upon the rights of Members—upon the rights of constituencies. You have not considered them as disqualified from coming to a just judgment. I am not clear that the House has a right to impose the test. I think it questionable whether the House has a right to assign a duty to Members of its own body, or to tell them that they shall not discharge that duty unless a certain test is applied. I am sure it is a dangerous precedent, that a majority of this House should impose a test of this nature, to be taken by certain of its Members who are called upon to discharge a public duty. I think he said his object was not to prevent inquiry, and yet he said, that supposing nine Members could be found who could take the test, whole towns would flock to see such paragons of virtue, or some expressions of that kind, and throughout he clearly indicated his opinion that no nine Members would be found who would take such a test. He said, that on these Members entering the committee-room, and on their departure from it, a considerable number of admiring spectators would see their entry and their exit. He considered it absolutely necessary before they entered on the inquiry that they should take the test; and if he considered that 658 Members could not by some means take the test, I do not see how he could expect a satisfactory result from the inquiry which he proposed to institute; because he said the inquiry would show that the majority owed their seats to gross bribery. If an inquiry is to be instituted, at the best that inquiry must be conducted by Members the majority of whom the hon. Gentleman must hold to be disqualified to conduct the inquiry. I question the right of the House to act as is proposed, but I am quite sure it would be establishing a most dangerous precedent. Without such test I am sure the hon. Members to whom the inquiry is delegated will, as honourable and honest men, discharge their duty; and therefore I withhold my assent.

Mr. *Hume* wished to explain the grounds on which he felt bound to oppose this motion. Undoubtedly, the general nature of the proposition was such as that if it were brought forward in a fit and proper manner, he should feel himself bound to vote in support of it, and he had on two previous occasions given his vote in favour of the adoption of such a declaration. In each of the cases to which he alluded, however, the adoption of such a test was incorporated in a bill before the House, and did not form the subject of a motion such as that of the hon. Member for Finsbury. If that motion were carried, its effect would be to frustrate the object of the inquiry proposed by the hon. and learned Member for Bath; and he could hardly conceive a motion more directly opposed to that object than that now before the House. He disapproved of the time at which the proposition was brought forward; but if a clause was introduced into any bill carrying out the same object, and he might suggest the introduction of such a clause in the measure to be proposed by the noble Lord (Lord John Russell) he would give it his support, and he would do so because then every hon. Gentleman entering that House would know the terms upon which he must look to hold his seat.

Mr. *Roebuck* thought that it was fit for an hon. Member when he opposed a motion introduced to that House, to do it in an honest, straightforward manner—that he should not assume a virtue which he did not possess—that he should not assume to be a patriot, and at the same time frustrate the objects of those whose intentions were good. When he had originally brought this subject before the House, he had been desirous to state—and he had done so explicitly, and he believed in such a manner that he had received the perfect assurance of his being understood by the majority of hon. Gentlemen—that it was the system, and not individuals against which he was aiming; and throughout the whole of these proceedings it had been his endeavour to point at the system, and to abstain from all asperity of language whatsoever with reference to particular individuals. The hon. Member for Finsbury, however, in oblique language—language as oblique as his motion—had endeavoured to fix the stigma on him of being actuated by other motives than those which he professed. The hon. Member said, he was desirous of forwarding the cause of purity of election—that he was desirous of maintaining the high character of that House—a character in which he of course desired to participate, while at the same time he had stated acts of his own commission, which, according to his own phraseology, were most corrupt. Those who wished to promote purity did it by example as well as by precept; and he did not think that any man ought to come to this House and say, "I desire to be pure," and at the same time admit that he was corrupt, but he should first establish his own purity, and then express his wish that others should be pure also. He would ask the House whether they conceived the mode of proceeding of the hon. Member to be honest and straightforward. An hon. Baronet opposite had given a distinct notice that he would propose a motion, calling into question the propriety of the motion which he had laid before the House; and if he could understand the object of that motion, it was that the hon. Baronet complained of the inquiry. The hon. Member for Finsbury, however, said, that he did not complain of the inquiry—that he was favourable to the establishment of purity in that House; but at the same time he stood up in his place to prevent their making an investigation into the proceedings of five or six men, when he professed his belief that 600 other hon. Members were just as bad. Now, for his own part, he had no objection to inquire into the whole of the 600 cases; but when the matter was before the world, and it was gravely stated that there were these five or six cases, in which men were able, and willing, and desirous to afford proof of that which was alleged, were they to turn round and say, that the whole state of the representation was so foul—the whole thing so bad, that they would not make any inquiry—that they would sit down contented with the existing state of things. To make a proposition having such an effect, would do very well in that House to gain a laugh—to acquire a reputation for the hon. Member who brought it forward for facetiousness, but it would not go down with the country, as being in any way conclusive either as to the honour of the House or their desire for the well-being of the community; and he thought that the country would hardly approve of the hon. Member's esoterick morality, which seemed to justify his indulging in laughter and sneers at subjects which he dared not mention when he got of doors. [Mr. *T. Duncombe:* "Hear."] "Hear, hear," was the grave exclamation of the hon. Member, as if he were absolutely detesting that species of false morality against which he proclaimed. He was there to entreat the support of the well-toned morality of that House: and he believed that there was a large majority of hon. Members who felt that the mischief which prevailed was one which was rapidly increasing—that there were many who, from weakness of mind or other causes, had been unwillingly drawn into a system of corruption to which they were opposed, and who would be most thankful to be placed in a position in which they might be relieved from the possibility of further participation in such acts. What he desired was to make the case so plain—so palpable, that the Legislature should feel bound to take some steps which should shield the weak, and at the same time prevent a repetition of such scenes as had of late been too frequent. There was a large majority of really virtuous constituencies which would be most thankful to the Legislature if a law was framed, the effect of which would be to throw a shield round the weak as well as the strong, to prevent the recurrence to such modes of proceeding as had been adopted. But he asked, in all seriousness, with all the gravity with which the Legislature should be called on in such a case, and also with something, he must say, of sorrow and regret at what had occurred, was this the mode of proceeding in such a case. Was it fit that, as representatives of a great people, they should treat with levity, and jeering, and scorn, all the common axioms of morality. Should they not take the means of preventing these foul corruptions entering into every family of this kingdom? He asked hon. Members not to receive his proposal in that spirit of jeering with which it had been assailed, because he said that that spirit was not calculated, if it got abroad, to reflect honour on the House; and he did trust that hon. Gentlemen round him would fix the finger of scorn on the present motion—would treat it as it deserved to be—not considering it as an honest opposition to his own proposition, but as a round-about, oblique, facetious mode of opposing it. He placed the most sincere reliance upon the honour of the House, and he had no doubt that the result would be such as the country would approve.

Mr. *Pakington* begged to express his great astonishment at the declaration of the hon, Member for Finsbury, that he intended to press his extravagant motion to a division—a degree of astonishment which was only equalled upon his hearing the speech of the hon. Member, in which he had introduced that motion to the House, with regard to which he did not hesitate to say, he knew not whether most to wonder at the shameless confessions which were comprised in it, or at the unjust and unfounded attacks in which he had, at the same time, indulged against the great majority of the Members of that House. He believed that the sole object of the motion of the hon. Member was to throw ridicule on the proposition of the hon. Member for Bath, and with these feelings it was impossible that he should vote with the hon. Member for Finsbury. He would not shrink from saying, for it was his firm and conscientious opinion, that the hon. and learned Member for Bath had done a great public service. He did not altogether approve of the manner in which he had brought the whole question forward; he disapproved of those questions which he had put; he had entertained, and still felt, very serious doubts whether the committee should have been granted; and he doubted whether it would not have been a better and a wiser plan to trust to preventive legislation rather than to enter into an inquiry which, he feared, must assume the character of a strongly personal, if not of a vindictive attack against particular persons. But he was free to admit that the extent of bribery which had taken place at the last election was discreditable to that House, and to the law. Compromises had no doubt been entered into, which had produced great public scandal, and it was time that some measure should be adopted in order to prevent those compromises taking place in future.

Lord *J. Russell* must say, with respect to the motion now before the House, that he thought that nearly all of the reasons which had been already stated as affording ground of opposition to it were extremely applicable. But he felt, above all, that the House having consented to appoint this committee, they ought not by any extraordinary, unusual, or objectionable means, to endeavour to defeat that inquiry. Whether it was fit to require such a declaration as was called for under the provisions of an act of Parliament was another question, but he thought that to agree to the present motion would be a mode evidently of avoiding that inquiry which had been already granted. Without entering into the question, to which reference had been made, whether they should have granted that committee originally, he must say that he had nothing to find fault with in the mode of proceeding of the hon. Member for Bath, with one exception. He could not help regretting that words of considerable importance should have been added to the motion for the appointment of the committee, the effect of which was not only to give to that committee the means of inquiring into the compromises which were alleged to have taken place, but which extended that inquiry to matters of bribery. He said, that he regretted that such an addition should have been made without full notice having been previously given to the House, and he did so the more, because they could not now be well taken away from the resolution, without an appearance being produced of a desire on the part of the House to restrain the inquiry. His hon. Friend, the Member for Finsbury seemed to imply, by his motion, either that the House by agreeing to it, on one hand, would be thereby exposed to great difficulty, or on the other hand, that by rejecting it, hon. Gentlemen would in effect confess that they were not ready to make the declaration against bribery, which he proposed should be required of them. He could not but think, however, that his hon.

Friend had drawn his motion in a very peculiar manner with regard to the introduction of that part of it which had reference to the sanction by hon. Members of the payment of other than legal expences. They all knew the extent to which bribery had been carried on, but they all knew at the same time that there were many expences incidental to an election, which were not perhaps strictly legal, and on which even, he believed, hon. Members had been unseated, but which, at the same time, were frequently paid. He spoke of such expences as were incurred where, in a county election, voters had a great distance to travel to the poll, the candidates on both sides agreed to allow them such moderate refreshment as were necessary. Whether such expences were legal or not —and he believed that they had been decided not to be legal—it was obvious that they were of a very different character from those which constituted a sufficient ground to support a charge of bribery; and however the question of their legality might stand, it was clear that, in a moral point of view, or looked at politically with regard to the position of that House, they were totally different from those charges which were incurred by the payment of five or ten guineas per head for each voter. If the hon. Member should alter his motion, so as to meet such cases, it might stand in a different position; but he should say, that it would be extremely difficult for him, even in his own case, to say that he had never paid any sums of money beyond the amount of the legal expences of his election; and agreeing, as he hoped he should, with the majority of the House, he must give his vote in opposition to a motion, the effect of which was to throw out an imputation that all hon. Members were guilty of acts of bribery.

Mr. *W. S. O'Brien* expressed his intention to support the motion of the hon. Member for Finsbury, and thought that the object of that motion was anything but that of defeating the proposition of the hon. Member for Bath. He thought, that the House had reason to thank the hon. and learned Member for his motion; but he could see no reason why, if a test of disinterestedness was applied to hon. Members forming committees on private bills, the same species of test should be also applied in the present case.

Mr. *Wakley* was at a loss to understand why so much sourness of criticism should have been bestowed on the motion of his hon. Colleague. It was said, that the object of the motion was to get rid of the inquiry. By what means, he would beg to ask? If it were by proving to the public that there were not nine men in that House who could take the test, the effect of it would be to prove the allegations of the hon. and learned Member for Bath, and to carry out his motion, and it would show, in point of fact, what was the state of the misrepresentation of the people in that assembly; and he said, that instead of this proposition bringing upon his hon. Friend the displeasure of the House, his example should be looked upon as one which, for its honour and its courage, ought to be followed. He said, let other hon. Members make similar confessions, and let the public see by what means seats were to be obtained in that House. He said, therefore, that his hon. Friend had no object in this motion in defeating the object of the hon. Member for Bath, for he thought that if anything could give effect to the committee, it would be by the Members of that committee taking the test which was proposed. Did the right hon. Baronet mean to say, that there was anything in this test which hon. Members should not be capable of taking? Did the right hon. Baronet mean to say, that there was anything preposterous and unjust in this test? The right hon. Baronet had only objected to it because it was introduced in this particular case, but they must make a beginning in some case, and it would surely be something for hon. Members to point out this test as one which they had been compelled to take, and in that point of view, at least, would be most useful to the community at large. The House must not rest with an inquiry with regard to the six boroughs alone which were named, and if it were suffered to go forth to the public that it was to be so confined, the most unfavourable inferences would be drawn from such a result. His hon. Friend had said, that he thought that 600 of the Members of that House had not been duly elected; but he thought that he had gone too far in making that assertion, and he believed, that there were many hon. Gentlemen who had done nothing dishonourable, and his hon. Friend had no right to assume, that hon. Members had adopted means of obtaining seats in that House which he would not have taken himself. So far as the test proposed went, he was perfectly willing to take it; he should have no difficulty in doing so, for he had not at any time expended one farthing of money for the purpose of corrupting or deceiving a voter, and he thought, that there were many others who could make a similar declaration. But what he wished to impress on the House was, that having entered into this investigation, they ought to go on with it as far as the petitions before the House would enable them. Many petitions had been withdrawn, but in those petitions were allegations in many instances as bad as those contained in the petitions which they were about to investigate. He said, that they could not do justice to the people, unless they carried out the inquiry to its fullest extent, and if that were done, a most useful lesson would be taught to the country, and before many years had passed, an entire change would be effected in the constitution of that House.

Mr. *Brotherton* begged to be allowed to explain the vote which he was about to give, and which would be in opposition to the motion of the hon. Member for Finsbury. He thought, that that was a motion which ought to have been brought forward before the committee had been granted; but he was confident, that the committee would do its duty—that the hon. Members composing that committee would do everything in their power to bring to light those corrupt practices which had been too common throughout the kingdom. For his own part, he should have no difficulty in taking the test, for he had never expended one shilling in corrupting a voter, nor had he ever solicited a vote, but he did not think that the motion was calculated to produce the end which was sought to be attained.

Mr. *V. Smith* thought, it would not be considered too much for him, as he was about to vote with his hon. Friend, the Member for Finsbury, to state his reasons for adopting that course, and he must premise by saying, that he had adopted that determination without entertaining the least desire to throw ridicule on the motion of the hon. Member for Bath, but that he had done so upon a most serious view of the case, and upon the best consideration which he had been able to give to the question. It was all very well for the hon. and learned Member for Bath to lecture his hon. Friend for throwing ridicule on his motion, because he had brought forward some comical statements, in that agreeable manner with which the hon. Member was in the habit of entertaining the House. Those statements, however, were most serious, and the public would set their due value upon them. With reference to the refusal of this committee, he could not help thinking, that after what had passed, and after all the reproaches which had been thrown out upon that House, if the House refused to sanction the application of this test, the most unsatisfactory results must ensue; because he thought, that if that committee came to a conclusion that the charge of bribery was unfounded, its Members would be considered to be just as bad as those whose cases they had had to consider; while on the other hand, if they declared that the charges were made out, it would be said, that they had determined to sacrifice these cases, in order to hide their own delinquencies. It appeared to him, that to adopt this test would be to act in strict accordance with the line of practice adopted in other cases. In the case of election committees, hon. Members were sworn to do justice, but an objection might be made to any hon. Member on the score of private interest, or that he was petitioned against, nor, for any other reasons; while in cases of committees on private bills, Members of those committees were compelled to declare that they had no local or private interest in the matter which they were to consider. And he begged to say, that in giving his vote in favour of this motion, he did so with no sort of want of confidence in the Members proposed to form that committee, but because he thought that unless some such test as was proposed was required, the conclusions to which he had referred would be drawn. Although in this case he admitted, that the hon. and learned Member for Bath had conducted himself in a manner which might be deemed to be in general correct, he denied that he was entitled to those eulogiums which had been showered upon him by hon. Gentlemen, and he thought, that the course adopted by that hon. Member, in introducing this subject to the House by means of the questions which he had put, he had hit upon a mode of proceeding most likely to give personal offence, and which tended to produce a scene much more likely to give rise to ridicule than anything that had been done by the hon. Member for Finsbury.

Mr. *T. Duncombe* said, he knew that he had only a right to explain, but he hoped the House would indulge him for a few minutes, for he must offer a few observations in answer to the attack of the hon. and learned Member for Bath. He had always understood that it was not Parliamentary for any hon. Member to impute motives to any hon. Member for any conduct of his in that House. But the hon. and learned Member had imputed unworthy motives to him, in language which was wholly unjust and inapplicable. The hon. and learned Member said, that he was endeavouring by underhand means to defeat the inquiry. Now, he could tell the hon. and learned Member, that he knew nothing that authorised any hon. Member to say that he ever adopted any but the direct course. He was not one of those individuals who made indirect attacks on persons in their absence, and when called upon out of the House of Commons to explain or substantiate the charge, shrunk from it.

Mr. *Roebuck* said, that as he understood the hon. Member to be speaking of him, he asked him when it was that he shrank from any charge he had made?

Mr. *T. Duncombe* resumed, and was proceeding to repeat that he was not one of those who made indirect attacks, &c., when he was interrupted by

The *Speaker*, who said, that the rule of the House only admitted of an hon. Member saying a few words by way of explanation, and therefore the hon. Member would see the propriety of not going into these matters.

Mr. *T. Duncombe* said, he wished to explain that he was not one of those individuals who made attacks on individuals in their absence, and then shrank from those attacks when asked to substantiate them out of the House.

Sir *E. Knatchbull* rose to order. It was not consistent with the rules of the House that an hon. Member should use expressions which went to attack another.

Mr. *T. Duncombe*: I am attacking no person.

Mr. *F. French* thought, that as the hon. Member for Finsbury had been assailed, he had a right to defend himself, and unless the permission were granted, he would move the adjournment of the debate.

Mr. *T. Duncombe* said, that he should, as the right hon. Baronet opposite had done the other night, address himself to the main question. It was not his object in making the present motion to defeat the purpose for which the committee was appointed. On the contrary, he was desirous of placing the committee in a position which would secure for it the confidence and esteem of the public, and unless the test which he proposed were applied, it could neither gain nor deserve public estimation. He had been accused of making a barefaced confession. He had, however, only told the truth, and, in his opinion, such a confession of human frailty was better than to indulge in professions of extreme purity, and assume with a complacent self-conceit a character of superior virtue, which none but the modest professor himself could discover.

The House divided on the question that the words proposed by Mr. T. Duncombe be added to the motion:—Ayes 17; Noes 160: Majority 143.

List of the AYES.

Bernal, Capt.
Carew, hon. R. S.
Christmas, W.
Collett, W. R.
Crawford, W. S.
Forbes, W.
French, F.
Grosvenor, Lord R.
Hatton, Capt. V.
Hinde, J. H.
Mitchell, T. A.
Napier, Sir C.
O'Brien, W. S.
O'Connell, J.
Plumridge, Capt.
Smith, rt. hn. R. V.
Turner, E.

TELLERS.

Duncombe, T.
Wakley, T.

List of the NOES.

Acland, Sir T. D.
Acland, T. D.
Acton, Col.
Adderley, C. B.
Ainsworth, P.
Aldam, W.
Allix, J. P.
Antrobus, E.
Arkwright, G.
Attwood, M.
Bagge, W.
Bailey, J. jun.
Baillie, Col.
Baring, rt. hon. F. T.
Barnard, E. G.
Bernard, Visct.
Blackstone, W. S.
Botfield, B.
Bowring, Dr.
Brotherton, J.
Browne, hon. W.
Brownrigg, J. S.
Bruce, C. L. C.
Buck, L. W.
Buller, C.
Butler, hon. Col.
Campbell, A.
Chapman, A.
Charteris, hon. F.
Christie, W. D.
Clayton, R. R.
Cobden, R.
Codrington, C. W.
Collins, W.
Courtenay, Lord
Cripps, W.
Damer, hon. Col.
Dawnay, hon. W. H.
Denison, E. B.
Douglas, Sir H.
Douglas, Sir C. E.
Duff, J.
Dundas, D.
Egerton, Lord F.
Eliot, Lord
Elphinstone, H.
Escott, B.
Evans, W.

Ferguson, Col.
Fitzroy, Capt.
Fleming, J. W.
Flower, Sir J.
Follett, Sir W. W.
Forbes, M.
Fuller, A. E.
Gaskell, J. M.
Gladstone, rt. hn. H.
Gore, M.
Goulburn, rt. hn. H.
Graham, rt. hn. Sir J.
Granger, T. C.
Greenall, P.
Grimston, Visct.
Grogan, E.
Halford, H,
Hamilton, W. J.
Hampden, R.
Harcourt, G.
Hardy, J.
Henley, J. W.
Hepburn, Sir T. B.
Hill, Lord M.
Hodgson, R.
Hope, hon. C.
Howard, P. H.
Howick, Visct.
Hume, J.
Jackson, J. D.
Johnson, W. G.
Johnston, A.
Johnstone, Sir J.
Kelburne, Visct.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Lambton, H.
Lawson, A.
Leader, J. T.
Lefroy, A.
Lemon, Sir C.
Leveson, Lord
Liddell, hon. H. T.
Lincoln, Earl of
Lyall, G.
Maclean, D.
M'Geachy, F. A.
M'Taggart, Sir J.
Maher, V.
Mangles, R. D.
Martin, C. W.
Masterman, J.
Morgan, O.
Morison, General
Muntz, G. F.
Murray, C. R. S.
Murray, A.

Packe, C. W.
Pakington, J. S.
Palmer, R.
Palmer, G.
Peel, rt. hon. Sir R.
Peel, J.
Pendarves, E. W. W.
Philips, M.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Pusey, P.
Rawdon, Col.
Reade, W. M.
Richards, R.
Roebuck, J. A.
Rose, rt. hn. Sir G.
Round, C. G.
Round, J.
Rundell, J.
Russell, Lord J.
Sandon, Visct.
Shaw, rt. hon. F.
Sheil, rt. hon. R. L.
Sheppard, T.
Somerset, Lord G.
Stanley, Lord
Stansfield, W. R. C.
Staunton, Sir G. T.
Stuart, Lord J.
Stuart, W. V.
Sutton, hon. H. M.
Tancred, H. W.
Thornely, T.
Thornhill, G.
Trench, Sir F. W.
Trollope, Sir J.
Trotter, J.
Tufnell, H.
Tyrell, Sir J. T.
Vere, Sir C. B.
Vernon, G. H.
Vivian, hon. Major
Vivian, J. E.
Walsh, Sir J. B.
Ward, H. G.
Williams, W.
Wood, B.
Wood, C.
Wood, Col.
Wortley, hon. J. S.
Wynn, rt. hn. C. W. W.
Yorke, hon. E. T.
Young, J.

TELLERS.
Baring, H.
Fremantle Sir T.

Main question agreed to.

ANTI-CATHOLIC PETITIONS—RULES OF THE HOUSE.] On the Order of the Day for going into committee on the Customs Acts,

Sir *H. Douglas* said, that seeing the right hon Member for Dungarvon in his place, he would take the opportunity of saying a few words with respect to a petition which he had presented on Tuesday evening. The right hon. Gentleman appeared on that occasion to doubt the authenticity of the signatures, because several of them appeared in the same handwriting. He had since made inquiries, and had received a letter from Mr. Crisp, stating that the signatures were duly authorized by the parties whose names were attached to the petition.

Mr. *Sheil* would make no other remark than that it was strange the first page of signatures to a petition which made such extraordinary charges against the whole Catholic hierarchy of Ireland should be written in the same hand.

Sir *R. Peel* wished to know whether it was consistent with the rules of the House that public business should be thus stopped. This delay with respect to the tariff was very inconvenient, and he was resolved to take advantage of every rule which would enable him to proceed with it.

The *Speaker* said, that any observations made on proposing to read an Order of the Day should, properly speaking, have reference to the Order, though of late a practice had arisen of deviating from this rule.

Mr. *Sheil* said, it should be remembered that the question relating to the petition was one of privilege.

CUSTOMS ACTS—THE TARIFF.] Order of the Day for going into committee on the Customs Acts read.

On the question that the Speaker do leave the Chair,

Viscount *Howick* rose to move the following resolution :—

"That in making a new arrangement of the customs duties, it is not expedient to impose different rates of duty upon the same articles when imported from foreign countries or from British possessions, in any case where no such difference now exists; and that in those cases in which such a difference already exists, it is not expedient that it should be increased."

He perceived that in the scale of duties, there were a number of cases in which a lower rate was charged on articles which came from the British colonies than was placed on articles of a similar kind coming from foreign countries. It was a matter well worthy of consideration to ascertain whether such a mode of legislating was a wise one, and he thought that it would save the time of the House to bring the principle into discussion in the shape of a resolution before going into committee, rather than test it by moving amendments on each particular item. His objection was to that system of imposing differential duties upon colonial as compared with foreign productions which it was now for the first time proposed to carry to an extent never yet contemplated. The ground of his objection to that principle of differential duties was, that he conceived that while they left the consumer in this country still subject to the burden of the tax, the Treasury was deprived of that income which, bearing as the public did the burden of the tax, it ought to receive; and that those differential duties entirely failed to accord to the colonies those advantages which it was the object of the system to confer. In order to show what was the operation of the principle of the differential duty, as well on the consumer as on the revenue, he would refer to two articles in the tariff of the right hon. Baronet in respect of which differential duties were proposed. They were under the head of provisions. Cheese and butter now paid duty at the same rate when imported from our colonies as when imported from abroad. Butter paid 1*l.* per cwt., and cheese 10*s.* the cwt. The consequence of this state of the duties had been that none, or very small quantities of these articles had been imported from British possessions, while the revenue on what had been imported from other countries amounted to 375,000*l.* But under the proposed tariff the duties were to be reduced to one-fourth the duty on foreign, as regarded those articles of consumption when imported from our own colonies. The duty on colonial butter was now proposed to be 5*s.* the cwt. instead of 1*l.*, and on cheese only 2*s.* 6*d.* instead of 10*s.* Now, as the right hon. Baronet had told them in opening the tariff that the differential duties had been regulated after a careful consideration of their effect upon the prices of the articles, he was entitled, he conceived, to assume that her Majesty's Government expected that those changes in the duties would enable the productions of our colonies to compete on equal terms with those of foreign countries. Suppose this to be admitted, and suppose also that some of our North American colonies, which suffered under disadvantages in competing with countries in our more immediate neighbourhood, were by the operation of these differential duties to be enabled to compete successfully in importing butter and cheese with Holland, the country from which we now chiefly imported those articles — suppose also that under the operation of those increased advantages we were hereafter to import one-half from the colonies in question, instead of, as now, the whole from the foreign countries —assuming all this to occur, still it must be obvious that the position of the consumer would remain unaltered. Whether the articles of produce came from British possessions or from colonies, the consumer would be in the same position. But how would the case stand with regard to the revenue? Why, that instead of, as now, receiving 375,000*l.* on these articles, the revenue would only amount to half that sum on the articles imported from abroad; and if the duty on the remaining half of the produce imported, that from British colonies, was reduced to one-fourth, the amount of revenue received upon them would be somewhat less than 47,000*l.*, thus producing upon the whole a loss of rather more than 140,000*l.* upon the whole revenue, without there being any diminution of the burden upon the consumer. This, as far as the measure would be operative at all, would clearly be the effect of it. He had stated the operation as far as these two articles were concerned, and the same principle would apply to all the other cases in which differential duties were proposed to be imposed. Now, in considering the subject of the imposition of duties in general, he held it to be an admitted principle that it was for the interest of the country not to allow the consumer to be subjected to the burden of any tax that was not productive to the Treasury. He knew he might be answered that there was a great distinction to be drawn between protective duties and revenue duties, and, also, that it would be urged that if foreign countries refused to give our colonies any advantage by taking their productions at reduced duties we ought to give them those advantages. Now, with reference to the first objection, that which related to the distinction between protective and revenue duties, he must say, that he for one was very reluctant to admit the principle of that distinction, and he would add, that he did hope, especially after what the right hon. Baronet had said a few evenings since, that the time would very soon arrive when they would have none but revenue duties. Even at present it was difficult to draw the line between the two descriptions of duty, for those which were called protective duties yielded a revenue, as in the instance of the Corn-duties. Those duties on cheese and butter, were they protective duties or were they revenue duties, if they were revenue duties the argument failed, for they were partially protective, and *vice versa*. This argument however, was not so much relied on in support of the principle of differential duties as that other which he had adverted to, and which was the real argument—viz., that as other countries did not receive the productions of our colonies on favourable terms, that therefore we ought to receive them on such terms. His answer to this argument was a reference to that passage in the speech of the right hon. Baronet the other evening in which he expressed his opinion that if other countries did not choose to buy cheap from us that was no reason why we should punish ourselves by refusing to buy cheap from them. It seemed to him that this opinion of the right hon. Baronet cut away altogether the ground upon which these differential duties were defended. But this brought him to the question whether or not the creation of these differential duties was really beneficial to the colonies for whose benefit it was presumed they were imposed. He was prepared to maintain that it was altogether delusive to suppose that differential duties conferred any such advantages on the colonies. He was prepared to assert that instead of such duties being really beneficial to the well-understood interests of the colonies, they were, on the contrary most injurious to them. He contended that the operation of these differential duties tended to divert the capital and industry of the colonies from their natural channels. He contended that their effect was to lead to a reliance on an artificial system of commerce, liable to all the dangers that attended every artificial system of the kind, and which exposed the colonies hereafter to all the suffering that might be occasioned by a change of commercial policy in this country. All experience showed the danger there was by legislative acts of creating vested interests in commerce of this description, subject to all these natural contingencies. But it would be said that it was necessary to apply a stimulus to the capital and the labour of the colonies. He rather thought that no such stimulus was required. Of course he knew that the principles he was avowing were contrary to the received opinions on the subject of the relation between the colonies and the mother-country. He knew well that it would be maintained that the true principle of colonial government was that there should be a reciprocal trade between the mother-country and the colonies, in which each party should receive the produce of the other at lower rates of duty than those imposed on the produce of other countries. But, however fortified by prescription such an opinion might be, he thought it was one which few would feel bound to maintain in principle, however they might in practice. It was now very generally abandoned, and for his own part he thought that a trade of this kind was very disadvantageous to both parties; because, if we received the produce of our colonies on terms more favourable than those on which we received the produce of other countries, it was obvious that we should expect the colonies to do the same, a principle which must go to restrict the general trade of the colonies, to injure both parties, and, ultimately, to weaken rather than to strengthen the connexion of the colonies with the mother-country. The true policy was to give the colonies the freedom to buy wherever they could buy cheapest, and to sell where they could get the best price; that they should have free access to our markets, but no superior advantages. If we pursued this policy, and abstained from vexatious interference in the internal government of the colonies —if we allowed them, as far as was consistent, to manage their own affairs in their own way, so far from such a policy weakening the connexion between the mother-country and the colonies, it would contribute to render it permanent and mutually beneficial. It might be said that he did not go as far as in point of consistency he ought, and that he should propose to sweep away the existing protections, as well as to prevent the creation of new protections. But he was one of those who were of opinion that where, by a mistaken course of policy, certain interests had been created, and expectations raised in connexion with the commerce of the country, it would not be just that they should hastily and at once make great alterations which would expose those interests to hazard. He felt that they could not sweep away the existing duties without greatly disturbing and sacrificing those interests, and it was this difficulty which, above all other considerations, strengthened his unwillingness to embark in the mistaken course which was now proposed. It was because he felt himself hampered and entangled by existing differential duties that he was unwilling to create new ones of a similar description. The House, he conceived, ought to deal with existing differential duties with great caution; but they should be sure, when they did make any change, that it was in the right direction—not a change creating fresh protections and fresh difficulties, but a decided move towards the establishment of a better and a sounder system. This was all he asked by his resolution, and after the speech of the right hon. Baronet he was at a loss to conceive how he could object to it. The right hon. Baronet in that speech adopted all the great principles of commercial freedom, and took credit to himself for being the supporter of those principles, and for having cordially cooperated with Mr. Huskisson in those measures of improvement which were founded on those principles. Now, he asked the House to look at Mr. Huskisson's measures and principles as laid down in his admirable speeches, not to take from them isolated passages, but to look at their general tone and spirit, and then to say whether they believed that if Mr. Huskisson were now alive, and possessed the same absolute power of dealing with the question which was now lodged in the hands of the right hon. Baronet, he would at this time of day create new differential duties in favour of the colonies? The right hon. Baronet, quoting the rule laid down by Mr. Huskisson, said, that in applying general principles you must deal cautiously with existing interests, and not wholly disregard the feelings of those who were to be made sufferers by a change in your policy. He cordially concurred in the soundness and wisdom of that maxim of Mr. Huskisson, and he considered the resolution he now proposed to be in strict conformity with it. The simple demand he made was, that if they could not undo all the impolitic acts of their predecessors, let them at least abstain from adding to their errors. Upon a careful examination of the scale of duties now before the House, he confessed he was unable to discover the principles upon which it was framed. He found, various articles dealt with in a totally different manner without any apparent reason. In some colonial articles protection was altogether withheld and in others granted. The cotton manufactures of our colonies, for instance, were protected, and the linen manufactures not. There was no less a difference than 50 per cent. between the amount of duty chargeable on cotton manufactures coming from our colonies and on those coming from foreign countries, while in the duty on linen manufactures there was no difference. Then again, manufactures made of goat's wool were protected; those made of sheep's wool were not. Why this difference? He found, too, that in those articles in reference to which a differential duty was to be established there was the greatest possible variety as to the extent of the advantage. In a great number of cases the duty upon articles from the colonies was only one-half the amount of duty charged on similar articles coming from foreign countries. On others it was to be one-third the amount, in some one-fourth, in others again one-fifth; and in the article of tallow, and he believed of wool, the duty was to be less than one-twentieth of the amount chargeable on the foreign article. Again, he asked, why this difference? Should not the right hon. Baronet at least show that if this was a mighty maze, it was, at all events, not without a plan? As regarded our commercial relations with foreign countries, he was persuaded that at this particular time, it was of the greatest importance that the example of this country should be a good one. The unhappy system of commercial jealousy and restrictions which so extensively prevailed throughout the civilised world had, he believed, derived its principal encouragement from the example of this great country, whose prosperity had been falsely attributed to that system. We were now feeling the inconvenience of that state of things. We were now endeavouring to persuade other countries to retrace their steps, and endeavouring to convince them that their own interests, no less than ours, required that they should abandon so narrow and so selfish a policy. But again, he must refer to the right hon. Baronet opposite, and say that in endeavouring to do this, our example would have a most powerful effect. All the ability and management which it was possible to display in our diplomatic negotiations would have infinitely less weight than the example which it was now in the power of this country to set to the rest of the world. If the Government continued to pursue the faulty course of former Governments, and increased instead of diminishing restrictions already existing, then did he fear that the attempt to persuade other nations to adopt a more liberal and enlightened policy towards this country would be utterly fruitless. To every one who considered how little a thing determined the direction of the tide of public opinion in America, it must appear unfortunate that in the new protective duties they were about to establish, there should be any likely to give rise to a feeling of jealousy amongst the people of that country. They had already passed one measure which was contrary to the principles, if not to the very letter of the reciprocity system. He alluded to the Corn Importation Act, the sliding-scale of which operated unjustly against distant countries. As that measure was calculated to injure the United States of America in their trade with us, it was the more particularly necessary, in any other changes they made, to avoid inflicting on them any new blow of the same kind. Now, in the very first schedule of this amended tariff, a new protective duty was to be granted to the colonies in the article of provisions, which would materially affect our trade with America. In salted provisions he believed it possible that a considerable trade might grow up between this country and America. Was it then wise or politic, in the present state of public opinion in both countries, to grant to our colonies the right of sending us salted provisions at one-fourth of the duty paid on the articles from foreign countries? Would not this have a tendency to drive a usual trade in America from its natural channel, and to give rise to a contraband trade over the border into Canada, whence the article might come to this country at the lower duty? He thanked the right hon. Baronet for the advantages which his present measures would effect; he thanked him for the mitigation of those restictions which pressed upon the commerce of the country in so many of its branches; and he only had to regret, that in doing so much that was both wise and prudent, the right hon. Baronet did not carry further into effect those principles which he had so ably laid down in his speech. For the assertion of those principles he was even more grateful to the right hon. Baronet than for the measure itself, for he was persuaded that, although they might not be able immediately to carry those principles into effect, yet that, so announced as they had been by the right hon. Baronet many years could not elapse before they would be full and completely carried out.

Mr. *Gladstone* said, that both the character of the noble Lord and the temper of his speech fully demonstrated that he had no motive whatever in his present proposition beyond that of the public advantage; and he quite concurred with the noble Lord that the mode he had chosen of submitting that proposition to the House was the most convenient he could have devised. At the same time, he was sure he might claim the noble Lord's acknowledgment of his belief that the Government would not have been slow to adopt the measure he recommended, if, like him, they had conceived it to be one calculated to promote the public benefit. Without any sense of false shame, or without any great unwillingness to entertain suggestions, because they happened to proceed from one who was usually a political opponent, he might point to the state of the tariff in its first and its present forms respecting the protective duties in favour of our colonies, as affording a proof that Government were not unwilling to act upon the views and principles of the noble Lord, so far as they deemed them just. He thought, however, that the noble Lord had not apprehended aright—he could not say the political and social, but even the commercial effects of the arrangements it was proposed to make. He meant especially the effect of the alterations in the customs' duties with regard to the differential duties on foreign and colonial produce. In order to lay before the House the spirit in which those changes were made, he would, in the first place, refer to the differential duties at present found on the statute. There were now 131 differences of duty in favour of colonial productions. Of these existing differences of duty, it was proposed to effect a reduction in ninety-eight cases; in no instance, however, was that reduction to be effected by raising the duty on the article proceeding from the colonies, but in every instance, let the House remark, it was to be brought about by lowering the rate of duty on the competing article which proceeded from foreign countries. In four cases, into which he need not enter at present, but one of which was tobacco, the differential principle was to be abolished. In twenty-one other cases, the rates would remain unchanged—sugar and spirits, as the House was aware, were the principal commodities of that class which would remain subject to the existing rates of duty. Eight cases remained, in which the amount of differential duty between the articles was to be increased, and he would very briefly state why that arrangement was proposed to be made. Four of the cases, indeed, those of Brazilletto wood, ebony, wrought copper, and pitch, he might dismiss without comment, as the rate upon them is very trifling, or the change is one incidentally made for the sake of classification. The four remaining cases, however, or at least three of them—isinglass, silk goods, and tallow, were more important. Now, the principle of proceeding in these instances was, that they would reserve the consideration of the alteration of the duties levied upon so much of these articles as was imported from foreign countries in consequence of the present state of our relations with those countries; but whilst on this ground they did not interterfere wth the present rate of duty upon the foreign article, the same reason offered no excuse for not reducing or adjusting the duty upon the colonial article. In the case of tallow, for instance, the state of our foreign relations presented no reason whatever why they should not carry into effect the proposed reduction of the duty on tallow or colonial import. The only remaining article, and to it he must succinctly allude, was the article of coffee. At present, there were four several rates of duty upon the importation of that article. 1*s.* 3*d.* was charged upon coffee imported from abroad, 1*s.* upon coffee imported from any place within the limits of the East-India Company's charter not being a British possession, 9*d.* upon coffee imported from any British possession within the limits of that charter not being the produce thereof, and 6*d.* upon coffee the produce of any British possession in America, or within the limits of the Company's charter. Now, the higher rates had in this case been greatly reduced, and in the differential duty, as measured by those, there had also been a great reduction. By effecting a more simple classification, too, there would be a still greater saving, for a class of coffee, styled, he believed, by the merchants "naturalised coffee," would be admitted free from heavy charges now entailed upon it. At present 6*d.* was charged upon British coffee coming directly from our possessions within the limits of the East India Company's charter, whilst upon foreign coffee coming from those possessions 9*d.* was levied. The new duty would be 4*d.* on the one, and 8*d.* on the other, and the advantage gained by this would be considerable, because at present the importer of the latter class of coffee had not only to compete in the British market with coffee paying a duty of 3*d.* less, but his coffee was subjected to the cost of a second voyage; for, in order to obtain the advantage of importing from a British possession, the naturalized coffee was shipped to the place from which imported, there unshipped, and reshipped to Great Britain. He would hereafter show, that the practical effect was to subject the circuitous importations to charges exceeding the 1*d.*, which it was now proposed, for the advantage of the revenue, to add directly to the 3*d.* which constituted the former nominal difference in duty. Thus, by the proposed reduction and equalization, all coffee of foreign countries would be put upon the same footing, and it would be needless to send coffee half round the world in order to save a small amount of duty. But he would not go further into this point, as the noble Lord had promised them a separate entertainment upon the proposed alteration of the coffee duties. He would only mention that he had referred to this case with a view particularly to show that any apparent increase in the differential duty was not in fact a real increase. Now, the article of tobacco deserved some notice; and here he might refer very appropriately to the conduct of hon. Gentlemen opposite. Whatever might be said as to the application of the rule the present Government had applied to the duties on colonial productions, certainly he must say that the perceptions of hon. Gentlemen on the other side had marvellously quickened with their change of seats. [Viscount *Howick:* No.] The noble Viscount cried "No, No," but how stood the facts? Really, he might say without much exaggeration, that if they had fallen into a wrong course respecting these colonial duties, (and so far as there had been haste or error, he was of course ready to bear the blame,) they had been in no small degree misled by the legislation of the party last in power. Why, the principal act of the commercial legislation of that party was the creation of new protected interests by the measure they had brought forward with regard to East India sugar. Under the cover of that protective duty they admitted an interest not before included in the protection, and had in consequence raised up a party against themselves, whose exertions in and out of that House they had subsequently cause to remember. With regard to East-India rum their conduct was precisely the same, and he could adduce many other cases equally or even more decisively in point. For instance, there were the articles of rough rice, imported from the western coast of Africa, and of bees wax, imported from the same district. What had they done in 1836? Had they not created a new differential rate of duty with respect to those articles? Then, in 1838, again they had created another new differential duty in favour of hides coming from the colonies, and in the same year a differential duty in respect of woods from Honduras. This was what they had done, but what was their tone with respect to these differential duties? What was their tone with regard to the change of the duties on tobacco, of which the noble Lord had that night urged the inexpediency? In 1840 the Government had been requested to put the East Indies on the same footing with regard to its productions as the West Indies. Of course, that proposition included the article of tobacco. If he remembered right, the hon. Gentleman the Member for Montrose was one of those who most vehemently urged the Government to adopt that course. What did the late President of the Board of Trade, whom he did not now see in his place, say on that occasion? He had taken the trouble that morning to refer to the sentiments the right hon. Gentleman had expressed, unrebuked by his Colleagues or his party on the subject of East-India tobacco, and he found that he fully admitted the justice of the claim set up for an equalization with the West-Indian producers, and only objected to alteration on considerations connected with the revenue. He might, too, take another case—the case of East India tea. It was then proposed to adopt a differential duty in favour of tea from the East Indies—a measure, the policy of which the noble Lord opposite had referred to that night in an argument which he must say he thought sound and valid. The right hon. Gentleman had in this matter said in 1840, he was not prepared to offer an opinion upon the proposition to create this new differential duty, because he had formed no opinion upon it. It was clear, therefore, that the perceptions of the hon. Gentlemen on the other side had been sharpened, and that the country had derived great advantage from the alteration in their Parliamentary position. But, returning to the speech of the noble Viscount, he would at once say with him that he believed the soundness of our true principles of commerce would, in the course of time, make their way, and be felt and appreciated in every part of the globe; and further, he also agreed that the example of England, in following out what she believed to be the true principles of trade, would be eventually most effectual with other countries. At the same time, looking at the present state of our foreign trade in some quarters, he could not help thinking that great uneasiness would be felt in England if it were to go forth that we were neglectful of the trade with our colonial dependencies. An impression already he knew existed that injury had been done to our colonies in some particulars. Several communications had been made to him, and he had found that the greatest anxiety was felt that the interests of the colonial markets should be maintained, and a peculiar value was attached to that trade. But it was not his object to dwell at any length upon the effects of our colonial system, either political or commercial—its encouragement of that marine which fostered our navy — and further, he was prepared to admit with the noble Lord that commercially a price had been paid for these advantages, either by a loss to the revenue on the one hand, or by an increase of price to the consumer on the other, or, as occasionally happened, by the conjunction of both results. Admitting this, however, he could not say that he thought the noble Lord had done his duty to this part of his argument. He believed there was even some truth in the proposition that these differential duties had sometimes had encouraging results in cheapening prices all over the world. The article of indigo was an instance in point. Before the East Indies became the great source of supply for the world as respects that article, indigo bore a price three or four times greater — certainly not less than twice as great as at present. It might be, that the preference accorded by our laws to East-Indian indigo, had materially contributed to causing that abundance of production which led to so satisfactory a result. Although, therefore, not prepared to defend the theory of a colonial system alike in all its particulars—admitting that there were objections to it in some points—he was, nevertheless, prepared to defend the position that it was in some cases even commercially and in direct money results beneficial. What he did say, too, was that the proposition of the Government, whilst it was open to few or none of the objections of that system, combined many, he might say the whole of its advantages. To illustrate this position—to show that the plan of these new differential duties, as they were termed, might be at the same time anything but detrimental to the revenue, and decidedly advantageous to the consumer, he would begin by remarking, it was admitted that price was governed by the rate at which the unprotected producer could bring his goods into the market. The new differential duties were all applicable to articles produced in the United Kingdom, as well as abroad; and whatever might come in under them, would therefore compete with a producer at home, as well as with the foreigner. This it was most important to bear in mind. Now in the case of an article grown at home, and highly protected against foreign competition, if they introduced an intermediate or second class of duty beneficially serving our own colonists, they did not raise the price, but, on the contrary, they augmented the supply, and by bringing a new party into the field produced a tendency to lower prices. The noble Lord had quoted, and as he thought very unfortunately quoted, the case of salt provisions. Now, if they had a good case in regulating their tariff with regard to American articles, it was the case of salt provisions, for the fact was, that our marine constituted the chief purchasers of these provisions, and the tariff provided that for the use of that service such provisions might be taken out of bond without payment of any duty whatever. But to return to his illustration. Supposing the admission of an article from the colonies following upon the reduction of the rate of duty in its favour, and increasing the consumption, it naturally followed that it added to the revenue by the duty payable upon the increase of supply; but if it did not increase consumption, but only displaced what was previously consumed, it still added to the revenue if it displaced what was produced at home, and what consequently had paid no duty at all; or if it displaced an article of foreign production being introduced at a lower duty, it had at least some tendency to the other good effect of benefitting the consumer by admitting of a sale at a lower price. It was an abuse of words to call this imposition of new rates of duty a creation of differential duties; the real effect of the measure would, in point of fact, be to admit the colonies *pro tanto* not absolutely to commercial equality, but to an approximation to commercial equality, with the British producers of any commodity. The noble Lord had spoken of the danger of raising up additional protected interests, which would be sure to throw obstructions in the way of Government, should it hereafter be desirous of introducing improvements into the commercial policy of the country. He thought that the course taken during the present Session with respect to the duties on important articles produced in the colonies would be a more than ample guarantee to the community, that when Parliament should judge it fit and wise to introduce some measure for the commercial benefit of the country at large, it would not be deterred from giving effect to that measure by any partial or selfish views. The noble Lord had said that the propositions of Government, if adopted, would have a tendency to lay further restrictions on the trade of the colonies themselves, for that if you gave the colonies such advantages, you must give the mother country corresponding artificial advantages in the markets of the colonies. The best answer to this argument was to be found in the fact that we were at this moment greatly reducing the duties on all foreign commodities imported into the great western market of the British colonies which could enter into competition with the productions of this country. That measure would, by removing restrictions, give great extension to the trade of our colonies and give new encouragement to their enterprise. Again, the noble Lord said, that the House should be careful as to what example they set at this moment to foreign countries in matters of commercial policy. He hoped that they would not be led to put an unfavourable interpretation on the propositions of Government, if they should be adopted by the House. Sure he was, they would have no right to construe them in a sense unfavourable to themselves, nor did he think they would be inclined to do so, unless they were ininstructed so to interpret them by others, as, for example, by the interpretations of the noble Lord. What was the real fact? The Legislature of a great empire, which had colonies subject to it that were parts of the same body, was establishing a system, which would effect an approximation to entire freedom of intercourse between the different regions of the empire. Was it to be supposed that any foreign country could take upon itself to interfere, and say that this country should not give commercial freedom to her own subjects and her own children, nor even an approximation to it? If the House should sanction the scheme, they would only be doing now for the colonies what they had done scores of years ago for Ireland. Ireland was then separated from us by commercial barriers, and when those restrictions were removed, that course was adopted which the House was now asked to apply to the colonies. The Legislature then, in fact, created so many differential duties in favour of Ireland against the rest of the world. Could any man deny that that was the practical effect of the measure? Take the case of Irish cattle, for instance. [Mr. *C. Wood:* The duties were removed]. He did not mean to say, that the course taken, or that the case of the colonies was exactly that of Ireland in form, but the cases were certainly in substance analogous, and the measures he now asked the House to adopt, while they would be socially and politically advantageous, would tend towards commercial freedom. He would take another case—that of the German Customs Union. He had heard an hon. Gentleman not now in his place, one of the most ardent admirers and zealous prosecutors of commercial freedom — the Member for Dumfries describes that union as an establishment of freedom of trade within a large circle of population. Did any man ever make it a matter of objection against the great power at the head of that union, that it admitted to a perfect participation in its own privileges the other states which it took into the union? The objection made to its conduct was, not that it admitted other states to perfect commercial equality with itself, but that it caused exorbitant duties to be imposed in other states of Germany on many articles which would otherwise have been admitted on moderate terms under their own former tariffs. He did not think that foreign countries generally were in the wisest temper at the present moment with respect to commercial matters, but was it credible that they would urge it as a charge against England, that she was doing partially and incompletely for her own colonies what Prussia had done, not only without any complaint from, but with the loudest approbation of the champions of free-trade to other countries that were not her own subjects, but were, in reality, foreign countries, except as members of the Germanic body? In imposing a lower duty on colonial than on foreign produce, they were taking steps to lower and not to enhance the price—to increase and not to contract the supply; at the same time, that they would secure all those advantages of increasing their own trade and fostering the growth of the colonies which had always been an object—a justifiable and important object of the colonial system. He moreover held, that the colonies had a claim upon our mere justice for some preference, inasmuch as they were placed under disadvantages which they were called upon to bear for the general benefit of the empire. Differential duties were still imposed in favour of our goods imported into the colonial markets. That had always—he believed he was right in saying always—been the principle of our law. It was the principle of our law at present, it was the principle of the bill introduced last year by the right hon. Gentleman opposite (Mr. Labouchere), it was the principle of the bill introduced this Session under the auspices of his right hon. Friend at the head of the Government, to impose a differential duty, small as it might be, on all foreign articles whatever imported into our colonies, where they might compete with articles the produce of Great Britain. He was wrong in saying all; there were certain articles exempted on special grounds. But the rule was to tax every foreign article. The exemptions were the exceptions. It was true that the range of those differential duties was, by the new bill, to be very greatly contracted—he thought most justly and beneficially; but the principle was retained. It had at first been intended to abolish the duties generally, and restrict their application to a few specific articles, instead of retaining the duties generally with a few exceptions. But it was thought wiser, on reflection, and actually on the suggestion of the late President of the Board of Trade, to let the principle remain as it now stood. We laid restrictions on the colonies, also, with respect to the manner in which they were allowed to obtain the commodities they required. They were not permitted to receive any foreign commodity whatever, except under three conditions: first, unless with a differential duty; second, unless coming either from England, or from the country in which it was produced; third, unless coming in a British ship, or in a vessel belonging to the country in which it was produced. On the whole, he was convinced, that the proposed plan would insure increase of supply with reduction of price to the consumer, and benefit rather than detriment to the revenue. There was no reason whatever, therefore, why Parliament should be afraid of the name of a differential duty, but they ought to do that, which considering all the circumstances of the case would be most beneficial to our fellow subjects, and best for the interests of the whole empire. One point more, on the score of justice. He was not aware whether it were a rule of law; but it had, at all events, been a rule of Administration, to prohibit our colonies from levying taxes, even for purposes of revenue, on the introduction of British manufactures, beyond the most restricted rates, although we had ourselves raised heavy revenue duties from almost all colonial articles. [Mr. *Labouchere:* In Canada, a part of the revenue was raised from duties on British goods imported.] True; a portion of revenue was so raised, and the duties had just been raised; but to what point? To 5 per cent; and even that was a deviation from the old system, which permitted only a duty of 2½ per cent. *ad valorem* to be raised. That was the limit to which the colonial legislation had been formerly confined, but by a recent enactment passed only a few months ago, we had with a great stretch of generosity allowed it to be increased to 5 per cent. Many of the colonists were prevented from raising so much. He had stated these considerations to the House, because he trusted they would dispose hon. Gentlemen to regard with favour any duties tending so much to foster the general well-being of the country as the differential duties now recommended, while they likewise tended to foster the colonial trade. He had not thought fit to urge the importance of those political advantages which arose from colonial connexions, and which would be so much affected by commercial arrangements, for he was contented to rest the case of the Government wholly and solely on the commercial effect of the change now proposed in our tariff, by which the duties on certain colonial articles, heretofore subject to high rates, would be lowered. By those propositions they could afford to stand or fall, according as they should be proved to tend, or not to tend to increase the supply of the article and lower its price.

Mr. *C. Wood* said, although he coincided in the expressions of opinion of the noble Lord, as to the benefit likely to arise to the country from the tariff, yet he must say, that the objections made by the noble Lord had met with no reply. This mode of proceeding was one that he thought must be preferred by the Government itself. They preferred rather discussing the tariff upon general principles, than upon the mere details, and thus having the matter decided at once. In the course of the proceedings upon this matter, the opinions of Mr. Deacon Hume had been referred to by the right hon. Gentleman opposite, and yet Mr. Deacon Hume had given it as his opinion, that the colonial system, which they were still about to uphold, had been of no benefit whatever to the colonies. It had, indeed, been said, that the colonies were to be regarded as an integral portion of this country, like Ireland. He thought they might be so considered, if they contributed to the charges of the country, and if the same burdens were put upon them as were put upon Ireland, which bore her fair share of the expenditure of England. If that were done with the colonies, then the argument would be a fair one, that they should be put upon the same footing; but until that was done, no claim of that sort ought to be made. Instead of bearing a portion of the burden, the contrary would be found to have occurred; for instance, a large burden was imposed upon this country for the defence of the colonies. There was Canada, for which they had incurred a large expense for her defence; and large expenses, too, had been incurred for her internal improvement. Large burdens were borne by this country for the protection of their colonies. It was, in his estimation, one thing to deal with existing protections, and another to deal with new protections. The injury of the present course was, that they were raising up new vested interests in the colonies. This had already been proved in the case of timber, the duty on which was not originally imposed as a protecting duty, and yet upon which the injury at least was 500,000*l.* a-year for the last ten years. The same thing had occurred with regard to the sugar duties, they were at first not protecting duties, but at length they became a great injury to the revenue, and at the same time enhanced the price to the consumer.

Sir *C. Lemon* so much approved of the tariff, that it was with reluctance he offered opposition to any part of it. But he considered that the differential duties on tin would open the door to frauds which no sagacity could guard against, and they would have a most injurious effect upon the mining interests in this country.

Lord *Stanley* had not intended to make any observations in this debate, and now he should say but a very few words, as he did not wish to interfere with the division for which he saw that the House was most anxious. He could not, however, help pointing to the objection of the hon. Baronet opposite, as contrasted with the objection raised by his noble Friend to the principle of the tariff and the differential duties. What said his noble Friend? That they favoured the colonies, and gave them an undue advantage over foreigners; and doing this, they made the prices high for the home consumer, and diminished the amount of the revenue. But then when they came to apply the principles so much spoken of on the opposite side to the tariff, they found the hon. Member approving of a portion, but objecting to it on one article, and that article a most important one—tin ore. And why did the hon. Baronet make his objection as to that article? Was it that it would not increase the revenue and keep the prices high to the consumer? No, but it was because it would lower the price to the consumer, and raise the amount of the revenue. But why make the objection? Why dislike the lowering of the duties on tin ore, when it might bring them the importation of Indian ore? Because the producers in this country had a monopoly of the home market, and the constituents of the hon. Baronet were especially interested in keeping up the prices, in excluding the article from abroad, and in keeping down the revenue. With reference to the speech of the noble Lord, though it professed to object now only to the new differential duties, as affecting the British colonies, yet the whole speech and arguments of the noble Lord went to the annihilation of the total system of trade carried on in the wide spread colonies of the British empire. The position which he had the honour to hold, would, he trusted, excuse him for detaining the House, and he meant to do so but for a very few minutes; but he must enter his protest against the doctrine laid down by the noble Lord, that they were to put their connection with British colonies on no more advantageous terms than their connection with foreigners. Against the justice or policy of such a system he must altogether protest. They imposed on the colonies restrictions—they prevented them from purchasing in the cheapest markets—they prevented them from introducing goods from other countries on an equal footing with their own—they imposed restrictions upon their navigation and trade—and then the noble Lord turned round upon them, and said they should place their colonies upon the same footing as foreign countries. He admitted that the colonies were not entitled to be placed upon the same footing as this country, for they did not bear the same taxes, and did not pay for military protection; but then, if they were subjected to restrictions, upon the one hand, they might claim extension of protection upon the other. On the ground of justice, the colonies should be admitted on more advantageous terms to the markets of this country than foreigners; but, on the ground of policy, was it nothing that they had extended to all parts of the world—subject to no hostilities, subject to no caprice, to no embarrassment—the means of carrying on a trade unchained and unfettered by foreign restrictions—a trade the most beneficial of all which they were engaged in, a trade which more than any other employed our shipping, consumed the produce of our manufactures, and gave encouragement to native and to colonial industry—and, more than all that, which kept entire that strong, that beneficial tie of nationality, that tie of mutual connection between the different parts of this great empire, which constituted its protection from war, and its strength and glory in peace? What was the extent of this trade which the noble Lord proposed to treat so lightly? He had moved for, and he now held in his hand a return relative to the nature and extent of trade carried on by the British colonies; and he would ask the House to consider the extent of that trade with which it was proposed to deal so lightly? He would ask the House to look not only to the amount of that trade in numbers, but how much of it was carried on directly with the mother country, and the proportion of our manufactures consumed in the colonies with reference to their population. In 1837 the total amount of the trade carried on by our North American possessions—of the exports to these colonies was 3,844,000*l.* In 1838 the amount was 3,640,000*l.* The total average amount for those two years was 3,700,000*l.* Now, of that large amount what proportion came from foreign countries? That proportion amounted only to about 700,000*l.* Such was the proportion of imports into British North America not derived either directly or indirectly from the mother country—the remainder of the great traffic which he had cited was exclusively in their own hands, it consisted of their own manufactures. The total value of the trade of the British colonies, of the trade with British America, with the West Indies, and with Australia, was in 1837 upwards of 10,261,000*l.*, and in 1838 upwards of 10,580,000*l.*, and of this amount there was not above 2,000,000*l.* worth not directly derived from Great Britain or her other colonies; the returns of the exports of these colonies showed that of those exports, which were increasing in amount, upwards of eight-tenths were introduced into this country. Let them compare this trade with any commerce they carried on with any other parts of the world. Let them look to the consumption of their manufactured goods in proportion to the populations which they were supplying, and let them tell him whether or not it would be an advantageous step for them to allow the colonies still to keep up their trade, still to keep up the demand for British manufactures? But what was the relative proportion of our manufactures consumed in Canada, with respect to the population of that country, and the proportion consumed in the United States, with reference to its population? Taking the amount of British manufactures imported into Canada as 2,629,000*l.*, and the population as amounting to 1,300,000*l.*, the consumption amounted to the value of 39*s.* 2*d.* per head. Compare this with the consumption of the United States. He did not desire to disparage the trade with the United States; on the contrary, it was a most important traffic, and he wished most sincerely that it could be still further extended; but what was the comparative consumption of our manufactures in the United States in proportion to the population of that country? Taking that population as 17,000,000, there was consumed in the United States about the value of 7,236,000*l.* of our manufactures, or somewhere about the rate of 8*s.* 5*d.* per head. Although it was true that our exports to the United States had fallen off from the value of 65,000,000 dollars, at which they had stood in 1839, to 33,000,000, at which they had stood in 1840, he did not wish to refer in terms of reprehension to any causes which might have produced that falling off; but from whatever cause such decline might have arisen, it proved that trade with foreign countries was liable to embarrassment from caprice, and from hostile feeling, and was exposed to many other sources of interruption while it wanted all these elements of security and of safety which could be attained in colonial traffic. Let them look to the position of this country—to the magnitude of its interests, to the extent of its commerce, to the necessity of extending its commercial interests. He besought them—not from the adoption of any short-sighted principles of policy, however plausibly they might be supported—he besought them not to sacrifice the great, the increasing, the incalculable advantage which they possessed in the colonial traffic by putting the British colonies on the footing of foreign countries regarding their commercial relations with the mother country, and by the attempt—an attempt in which they could, no doubt, to a certain extent succeed — raise the amount of revenue by raising the amount of duty. In their efforts for the support and maintenance of unity and harmony between the various portions of this great empire, let them remember that it was not restraint which was best adapted to keep it together—the sense of union was to be cherished by means of strict commercial connection carrying with it mutual advantages. It was, he said, such a sense that would keep their colonies together The noble Lord himself, in talking of the colonies, had expressed an opinion that they ought to be integral portions of the empire, bound to it by ties of mutual self-interest, nationality, and commercial advantage. Let them rely upon it that, if they lightly threw away the advantages which they possessed—if they taught the colonies to consider that they were to be looked upon as foreign countries—let them rely upon it that they were shaking the main elements of the strength of the empire abroad, and with that strength only which arose from union could that empire be maintained. But if they deprived the colonies of the sense of mutual commercial advantage, they would diminish the strength arising from union, and if they abandoned the colonies, and commerce with the colonies, they would diminish their national power and glory, and sink into the condition of a second-rate power.

Mr. *Baring* said, the course proposed by his noble Friend was with a view of saving the time of the House when in committee. His noble Friend proposed, instead of applying his principle to the numerous details of the tariff, when it should come to be considered in committee, to take the opinion of the House at once, whether or not it were proper and advantageous in cases where no differential duties at present existed, to create them. His noble Friend's resolution did not touch those duties which at present existed. He asked no opinion as to them; all he asked was a decision upon the principle whether they would abandon the course which they had hitherto pursued, and impose new differential duties in cases in which they did not at present exist? And what was the answer to this question just given by the noble Lord? Why, it was a panegyric on the system which at present existed, and an innovation in the name of all that was valuable, not to adhere to that system, but to one introduced for the first time. If there was any Gentleman, who had just entered the House, unaware of the nature of the question before it, he must have felt rather surprised at finding, that while the whole of the noble Lord's arguments were directed against change, he was, in fact, asking the House for a change. The speech of the noble Lord was an excellent one against the proceedings of the right hon. Gentleman near him, and against the whole of the tariff of the right hon. Gentleman. If the noble Lord had been but upon this side of the House, his speech would have been one of the most powerful speeches which could be pronounced against any change in the existing system, for every word was directed against the proposed measures of the right hon. Baronet, at the head of the Government. The noble Lord had told them, that the colonies were to be preserved by means of differential duties, that they were the ties which bound the colonies to the mother country; and what had the noble Lord proposed to do with these differential duties? In the latter part of his speech he had answered the former part, but towards its commencement, he had admitted to a very great extent the justice of the principles of his noble Friend (Lord Howick), and had even tried to show, that in the construction of the tariff he had been following out the opinions of his noble Friend—for what were to be the effects of his measures? There existed 131 differential duties. These duties were those under which the great trade the noble Lord had described had sprung up — they were the duties which, according to the noble Lord, bound the colonies to the mother country. He implored you not to touch those duties. But have they been, are they to be left untouched? He would tell them what had been done with them. Of the 131 differential duties, ninety-eight were to be reduced, four were to be abolished, and only eight were to be increased; and that only on account of particular and temporary circumstances. Of the 131 differential duties, there remained only twenty-one which were to be left untouched. And they were now, forsooth, called on, in the name of the old principle, to reject the proposition of his noble Friend—a proposition not half so violent as that of Government, and which only proposed, that they would not enact new differential duties. His noble Friend did not propose rashly to deal with the duties upon which great existing interests had been founded. On the contrary, he expressly said, that when there were interests created under the concurrence of legislation, he would be the last man to deal rashly with such cases. The right hon. Gentleman opposite (Mr. Gladstone) had said, that they were more sensitive upon the subject than they had been, when on the other side of the House. If it was so, he was happy, that they were now more enlightened. It had been said —and he admitted that it was so—that it was difficult to deal with those great interests which had grown up under differential duties; and it had been said, that those Gentlemen whose language was very liberal out of the House, when they got seats in it, were apt to shut the door in the face of others. He admitted, that this was, to a certain extent, correct. But was there no lesson to be derived from it? Did it not show, that if they created new differential duties, they would also be creating those powerful interests which were so hard to deal with. There were two cases which had been alluded to in the conduct of the late Ministry with regard to their alteration in the duties on rough rice and bees' wax. But that alteration had been dictated by a desire to promote a fair and legitimate trade on the coast of Africa, as it was represented to Government that the establishment of such a trade would be the best means of counteracting and putting an end to the slave-trade. But these were small and trifling articles, and his noble Friend had acceded to the reduction in these instances. For his own part he had not the slightest notion on what principle the tariff was founded. He could understand the first edition; but the alterations which were subsequently made rendered it utterly impossible to comprehend on what principle the differential duties were placed. He confessed, though the right hon. Gentleman had given him a principle, he was at a loss to understand on what good grounds it rested. The right hon. Gentleman had said, that where colonial produce met with the same produce of this country, and also with foreign produce of the same nature, the reductions proposed by the Government were such as must either reduce the price to the consumer or cause no loss to the revenue. But we had a case of this very nature. We had the case of timber. On that article there was a large differential duty, and the timber of Canada, it must be recollected, not only entered into competition with that which was produced at home, but with foreign timber. The definition of the right hon. Gentleman, then, exactly applied. He should like to ask how the introduction of Canada timber at a low differential duty, tended either to reduce the price or not to injure the revenue? What regulated the price of timber in this country? It was the price of foreign timber. The price of the colonial kept just under the foreign; and by the protecting duty on the foreign the price of the colonial was calculated. If a change was made which tended to raise the price of colonial timber, the difference would not go into the revenue, but into the pockets of the Canadian timber merchant. He thought it quite clear, then, that both in the case of timber and all such articles which came in large quantities into consumption under the circumstances which the right hon. Gentleman described, the price of colonial timber was a matter of indifference, as it was foreign timber which regulated the market price. The colonists were so well aware of this, that they were not so scrupulous about the duty on timber as the Imperial Legislature, and if he was not much mistaken, the article of timber was there subjected to an export duty. He had run his eye over various articles of the tariff, since the right hon. Gentleman had laid down this principle, and he could not see how it was made to operate with respect to them. On rosewood and mahogany be admitted that his objection did not apply, for high differential duties were still to be kept up. But there was the article of cinnamon, with respect to which it was plain that it was utterly useless to keep up a differential duty. Our colonies produced more of this article than was required for our supply; that the surplus went into foreign markets, and the prices in this country must be regulated by those in the foreign markets, just as it was with our West-Indian colonies in the case of sugar; and he might add, that a considerable part of the Ceylon revenue arose from cinnamon, of which the colony had such a monopoly as to enable it to impose thereon an export duty. But now to recur once more to the general principle of the tariff. Really, if there were one, he could not understand it, especially as to the new "differential" duties—if there were any principle at all in the imposition of any import duties, it must be the necessity of protecting home producers; but now that principle was violated in the differential duties which took away from the home producers much of the protection as to colonial produce which was maintained as to the foreign. What did it matter to our producers at home, whether the imports were from colonists or foreigners? This was, of course, adopting the argument of the right hon. Gentlemen opposite, as to the justice of protection to the home producers. If that principle were sound, why then it was carried out most inconsistently and most unfairly as to those home producers, professedly the objects of protection. Again, he asked, what was the principle on which the tariff was formed? Its inconsistencies were palpable—but unaccountable. No reason could be assigned for the variations as to the mode of dealing with different articles. To instance the case of fruit:—on apples, pears, and medlars, there were differential duties; but on no other fruit. Why was this? What consistency was here? What reason could be given for such a preference of these particular fruits alone as objects of pecular favour to the colonists? and the difficulty of comprehending the thing was enhanced by the fact, that, if these three sorts of fruit were dried, why, then, the "differential" duty in favour of our colonies ceased! Where was the "principle" here? Further, as regarded seeds, like rape, linseed, &c., there were no differential duties, while, as to the oils expressed from them, there were such duties. Where was the principle here? Surely, in a great commercial reform, something like great leading principles, it might be expected, would be adhered to with consistency. Again, on liquids there were no protecting duties; and with respect to other articles of a like nature the case was the same. He should be glad, then, to know upon what principle the duties on the different articles were charged—upon what principles those duties were to be based. He did not now wish to trouble the committee for any longer time, but he should be happy to avail himself of a further opportunity to discuss the propositions of the tariff more in detail, and he hoped that they were speedily to receive a definition of the whole principles upon which the tariff was founded.

Sir *R. Peel:* I was in hopes, until I heard the speech of the right hon. Gentleman, that the object of the noble Lord was to save us the trouble and delay of a discussion on details, and that we were to get rid of further discussion by the motion of the noble Lord on the general principle of the tariff as far as the differential duties between articles the production of the colonies to those produced in foreign countries were concerned; but I am afraid, from the speech of the right hon. Gentleman who has just sat down, that the object of the noble Lord will not be accomplished, for the right hon. Gentleman tells us that when we enter into the details of the tariff, then we must go into the consideration of these minute articles. Now, I confess I thought, from the indignation to which the right hon. Gentleman gave vent with respect to medlars, that it was his intention to promote discussion on details on the present occasion. I thought that the noble Lord had given notice of this motion for the purpose of rescuing the right hon. Gentleman from a difficulty, for if the noble Lord had not given notice of his motion, the division must have been taken on some individual article of the tariff. That article, the first in the list, would have been colonial asses, which so greatly excited the right hon. Gentleman's indignation the other night—and he would have had no alternative but to try this great question on the subject of imposing a duty of 1*s.* 3*d.* a-head on colonial asses. I certainly thought that the noble Lord had brought forward his motion by way of a *pons asinorum* for the right hon. Gentleman. I think we shall do better by following the example of the noble Lord, and discussing the question of principle rather than by entering into these details, which I should have been disposed, nevertheless, to treat in a better temper than the right hon. Gentleman has exhibited with regard to the subject of medlars, but which, in my opinion, would be, with better judgment, reserved for an earlier period of the evening, if we are to enter upon them at all. The right hon. Gentleman explained to those hon. Members who did not hear the early part of the discussion, the nature of the motion made by the noble Lord (Lord Howick), but I protest against the correctness of the exposition given by the right hon. Gentleman. And I beg those hon. Gentlemen who were not present and did not hear the early part of the debate, to hear my version of the noble Lord's motion. It is neither more nor less than this:—

> "That in making a new arrangement of the customs' duties it is not expedient to impose different rates of duty upon the same articles when imported from foreign countries or from British possessions in any case where no such difference now exists; and that in those cases in which such a difference already exists, it is not expedient that it should be increased."

That is the question. We are required to lay down an abstract proposition that it is not desirable to raise in any case the duty on a commodity, the produce of foreign countries, above the duty on the same article produced in a colony. We are to lay down that as a principle. We are not merely to correct an error committed with respect to an individual article, but we are to lay this down as a principle of legislation, that the difference is not to be increased. But what is the principle for which the noble Lord contends? The principle is this: that you shall treat your colonies, without discrimination, as foreign countries in this respect. The noble Lord will not deny that such is the proposition for which he contends. But the right hon. Gentleman and his Friends, when in office, did not adhere to this rule. "True," replies the right hon. Gentleman, "there were slight exceptions. There was rough rice and bees'-wax from the western coast of Africa." And what account does the right hon. Gentleman give of the motives which induced them to take this course? He says, "If you can confer a benefit on the natives of Africa, it would be by encouraging their trade. Give them the benefit of differential duties, and you will encourage their attention to domestic industry; and you cannot confer a greater benefit on a country like Africa than by encouraging the natives to devote themselves to industry." But what becomes of the argument of the noble Lord about inflicting injury on our colonies? The noble Lord says, "You only disturb the application of capital; and, under a notion of conferring a benefit, you are inflicting future injury." What humanity was it, then, to encourage the growth of rough rice on the coast of Africa? If the noble Lord's principle were correct, there was no humanity in giving peculiar encouragement and facilities to African produce. Humanity ought to have dictated the establishment of the same rate of duty on the productions of Africa and those of foreign countries. But the great principle of the noble Lord, on which the House is to decide to-night, is, whether it be just, with respect to all articles the produce of your colonies, that the same rate of duty should apply as applies to articles the produce of foreign countries. If that principle be correct there is an end of your colonial system. The noble Lord's argument strikes at the foundation of our colonial connection. Is it just to say to the colonies, "You shall import British articles on a more favourable footing than those of foreign nations." You are at the present moment passing an act through the House giving to British manufacturers advantages in the colonial markets—you restrict commercial intercourse with the colonies by preventing them from choosing their markets. Would it then, I ask, be just to say to the colonies, "You shall admit the manufactures of Great Britain on more favourable terms than the produce of foreign countries, but Great Britain shall give your produce no preference whatever?" Yet that is the principle for which the noble Lord contends. Then would the noble Lord do away with the privileges which British manufactures enjoy in the colonies? If he would, let me ask him, why would he maintain the colonies at all? The colonies are, according to the noble Lord, to have the unlimited right to buy in the cheapest market. This country ought to show no preference to colonial produce. If you think fit, for purposes of revenue, to lay a duty of 30 per cent. on any articles coming from Russia or France, in that case, according to the noble Lord's principle, you ought indiscriminately to lay the same rate on articles the produce of a colony. Be it so; but let me ask the noble Lord, why we should be at the expense of defending these colonies? The noble Lord says, "See what results followed in the United States by abolishing these distinctions since the independence of the United States was established—since the system of privilege and protection has been abolished?" Be it so; but why retain the colonies if we are to derive no advantage whatever in respect to commercial intercourse—no advantages to navigation—no exclusive privileges for British shipping? Why abandon these advantages, whether real or supposed, and then garrison Canada with 15,000 men. The noble Lord's principle is to let the colonies govern themselves, and declare their separation from this country; for it is quite clear that our connection with the colonies can be of no possible advantage if we incur all the obligations of defence, but in every other respect place them on the footing of foreign countries. It appears to me that the colonies can be nothing but an onerous obligation to this country if the principle of the noble Lord be true. The noble Lord says that Mr. Huskisson's principles were adverse to the course now pursued. What! Mr. Huskisson, who proposed that Canada should be allowed to sell her corn in the British market at a fixed duty of 5*s.* With the noble Lord's resolution in force it would have been impossible for Mr. Huskisson to have applied, as he did, his principle to the sugar of the Mauritius, lowering the duty on it to 10*s.* the cwt. It would have been impossible for Mr. Huskisson, in 1826 or 1827, to have equalised the duty on the sugar of the Mauritius and that produced in the West Indies, if the House of Commons had determined to act on the principle laid down by the noble Lord. What did Mr. Huskisson say with respect to the East Indies? Mr. Huskisson complained of the conduct of the United States in refusing to our manufactures the privileges which had been given to other manufactures Mr. Huskisson intimated that there were two articles, the produce of the United States, of which we might derive an abundant supply from our own colonies. Mr. Huskisson said,

> "We could, he was satisfied, soon be abundantly supplied with tobacco from the East Indies, by wise and prudent inducemens held out to induce its improved cultivation. The rice of India would soon (indeed it was already doing so) usurp the place in our list of imports which that of Carolina had held. In other articles the same change would soon be observed. With reference to cotton, that raw article so essential in our great staple trade, it was only necessary to give its culture in India the same encouragement and protection which the indigo-trade had obtained to insure its cultivation with equal success, and the growth of as good, as durable, and as fine an article. The result would soon be, that the cotton of India would rival and supplant the cotton of the western world, as the Indigo of India already excelled that of Guatemala, to which it was formerly so much inferior, and would still have continued so but for the judicious encouragement afforded to it."

Therefore, for the noble Lord to contend that Mr. Huskisson was the patron of the principle that colonial articles in all cases should be subjected to the duty to which foreign articles were exposed, is entirely inconsistent with the fact. Take the case of India. You have ruined the cotton manufactures of India by the importation of your own. You insist upon India receiving it upon most favourable terms to yourself. If India attempted to get a revenue by subjecting your cotton manufactures to a duty you would take means to prevent it. But you contend that your cotton manufactures shall be introduced into India with great advantage, as compared with the manufactures of other states; and that the produce of India shall be subject to all the duties to which the produce of foreign states is subject. Is there any justice in that arrangement? Will the noble Lord be prepared in contending for this principle to subvert altogether the colonial interests? Are you prepared, for the purpose of increasing your manufactures in the colonies, to insist upon your manufactures being introduced at lower rates than the manufactures of other countries? I put it to any rational man who is actuated by equitable principles, whether it could be justly concurrent with the maintenance of the advantages which you derive from those colonies to contend that colonial produce shall have no advantage? It would be altogether inconsistent. You have told your colonies that you will maintain your connexion with them; you have pledged yourself to the Canadas to maintain your connexion with them; and I should deeply regret if the House of Commons should propose either one or the other of these alternatives—either to tell the Canadas that "There must be no distinction in favour of British manufactures; you are at liberty to introduce French goods and the manufactures of other countries on terms equally advantageous with those on which British articles are imported;" or to take this other and still more impolitic course, and say, "We insist upon your introducing British goods, and upon depriving you of the discretion of carrying on intercourse with other countries in the cheapest manner—namely, by the ships of other countries; but, with respect to the introduction of your goods, they must be introduced upon the same footing as French and other foreign articles." Why, sir, to use such language as this, and to adopt such a course as this now suggested, would place us in that situation with our colonies that nothing but physical force could enable us satisfactorily to maintain any longer the connection. Sir, again I must repeat that I cannot answer for the justice with which every subject is treated, with respect to those 600 or 700 articles set forth in the tariff. I think it is impossible to answer for the justice of all those discriminating duties. If the course you mean to pursue be this—namely, to put us to the proof with respect to every article here described—if you take one article with the sum of 6*d.* attached to it, and say, "here I put it to you to defend this article at 6*d.*, and this other which is marked at 9*d*," I say, Sir, that by adopting such a course of proceeding towards us, we should find it utterly impossible to give any satisfaction. Hon. Members must consider the complicated relationship of this country. They must consider the immense extent of capital which is involved—they must consider the enormous extent of our colonial empire, and the extensive field of our commerce. With these considerations they must be aware of the danger that would naturally arise by any attempt at legislation which would rashly shake the foundations of the empire. You must decide on the whole of those financial and commercial measures. And you must look to the practical results which were likely to follow. We have done all that a wise and prudent Government could do for the purpose of adopting this question. We have made an effort to restore the finances of the country and relieve the spirit of industry. I appeal to your justice to decide upon these measures as a whole, rather than to sacrifice the grand object we have in view by descanting upon its minute parts, in respect to which I confess it would be most difficult to give satisfactory and conclusive proofs in favour of. If this House should assent to this, I shall still hope that, as the course we have pursued has been hitherto approved of, and as the House has already decided upon the general principles involved in the noble Lord's amendment, we shall be still allowed to carry out our objects without being called upon to account for every item of the tariff. The amendment of the noble Lord cannot be entertained, for we are not yet prepared to create that alarm throughout India, the Canadas, and the whole of our colonial empire, which such a proposition was so well calculated to do; for, by adopting it, you would be only proclaiming the principle that they should be treated, in respect to colonial intercourse, in the same manner, and upon no more advantageous terms, than we should treat the foreigner. This was but a unilateral course, which, in justice to our own interests, as well as those of our colonies we cannot think of pursuing. [Viscount *Howick:* I urged it against any great alterations being made.] Why, I would ask, is not the whole of the noble Lord's principle this—that it must be desirable to maintain the duties with respect to the produce of the colonies and that of other countries on the same footing. The noble Lord stated that you were doing an injury to the colonies by supporting their permanent interest—his principle was this, that colonial produce ought not to be introduced on a more favoured footing than that of foreign countries. The noble Lord said, the system we pursued on this subject was vicious. I am now protesting against that unqualified and exceptionless doctrine—namely, that you ought to treat Canada in respect to colonial and commercial intercourse on the same footing as other countries. If such a proposition be entertained, there is an end at once to our colonial empire, and to maintain it will only be to place a useless burden on ourselves. If you sanction this proposition, then you ought also to say let the colonies assert their own independence, and provide for their own maintenance.

Mr. *Villiers* assured the right hon. Baronet that the satisfaction which he presumed to exist on that side of the House with his commercial scheme, arose solely from its approximation to the principles of free-trade, the value of which they were told were now appretiated on the other side; but if they were now to collect from the speeches of Members of the Government that all the exploded doctrines connected with monopoly were yet held and adhered to, he for one, should say that there was little in the changes proposed to recommend them to the country. If he understood the objection which the right hon. Baronet offered to the noble Lord's motion, it was, that it was based on the policy of doing away with protective duties, and not that of preferring articles that came from the colonies to those imported from a foreign country, as this (said the right hon. Gentleman) would destroy all connection between the mother country and colony. Why, this was the old answer, given in support of every kind of colonial misgovernment, however injurious to this country as well as to the colony itself. It put out of question the real merits of the change proposed, and assumed that the existing system was attended with unqualified advantage, and could only be changed with detriment to the colony. Now he begged to say that it was precisely because the noble Lord did, in a certain measure, assail that system of differential duty, that he, and many around him, supported it; and it was indeed to prevent his being misunderstood in voting for it, that he then rose; for his objection to the motion was, that it was too limited, that it did not go far enough, that it did not fully and fairly recognise the principle laid down by the right hon. Baronet the other night, namely, that the real interest and true policy of the community was to get what they desired at the cheapest market, while the noble Lord's motion in fact, only referred to such duties that should be rendered differential in future, and not those that now existed. He would do away with all duties for protection, as impolitic and unjust. A differential duty was a duty to support some particular interest in a colony, very often prejudicial to the colony, as a protective duty was to support some monopoly in this country: the same arguments were required to support both, and the same party—namely, the English community—were equally aggrieved by both. If there was anything sound, or anything just in the principles now avowed by the right hon. Baronet, there is the same mischief in paying more for an article when it comes from a colony, as in paying more from monopoly, or not buying at the cheapest market on any other account; and to urge as an excuse, that unless you submit to this great disadvantage you cannot maintain the connection with the colony, is to show that this connection is an evil, not that paying more is a good. But what is the argument used by the Government to-night which seeks to rest their policy on justice to the colony? Why, that the colonies are subjected to certain restrictions for our advantage, to which foreign countries are not subjected, and that gave them a claim to be preferred in this market. But who wanted these restrictions to be maintained? Not the colonies—not the manufacturers here. It is the grievance of the colonies of long standing, that these restrictions still continue; if they were removed, they care not for competition, and they were promised by the late Government that they should be removed; indeed, he believed that they are to be favoured by this Government in having them mitigated or removed. It is absurd, also, to suppose that they benefit the manufacturer here, because he only exports to the colony what he exports to foreign countries, and he could not get more for his goods in the colony than he received in the foreign country; and if he sent the same goods to Canada and New York, he could only receive the price in the former that he did in the latter; and if foreign countries could produce them cheaper than they were made here, this country would not export them. The colonies, therefore, are really injured by those restrictions imposed upon their commerce with other countries, and the manufacturers here are not benefitted one bit more by their custom than by that of foreigners. But the noble Lord the Secretary for the Colonies, defends the system, on the ground that the trade is more beneficial to the colonies than to other countries in proportion to their people, and compares the United States with our American provinces. But he asked why the trade with America was so limited? Why, solely on account of our own absurd restrictions on that trade, because we would not allow a beneficial trade to be carried on between the countries; which it was notorious might be done with America as well as with many other countries. The fact was, that this system of differential duties did nothing but mischief to both this country and the colony; they did, as the noble Lord, the Member for Sunderland said, divert capital and industry into wrong channels, and subjected this country to the burden of an unnecessary tax upon the articles imported; and he believed that, so far from strengthening our connection with the colonies, it had the opposite effect—it rendered them less prosperous, made the advantage of any connection a question with both, and loosened the tie which would derive strength from exhibiting to both a mutual advantage in its continuance. As a partial application then of a sound principle, he should support the noble Lord's motion.

Lord *J. Russell* said, he would deal with the motion of his noble Friend as he found it, and as applicable to the tariff proposed by the Government. The noble Lord, the Secretary for the Colonies, and the right hon. Baronet finding, he supposed, that the motion was reasonable in itself, had applied the whole of their arguments to some other proposition which was not before the House. The state of the question was this, that at the present moment there existed differential duties applying to colonial productions, and the Government purposed to impose new duties of the same description upon other articles. His noble Friend contended that those duties would occasion loss to the revenue, without being productive of any advantage to the consumer. His noble Friend's motion did not propose to put the trade of the colonies upon the same footing as that of foreign countries. Whether it would be right to allow the colonies to obtain what they wanted from any country they pleased, and to subject their produce to the same duties as that of other countries, was an abstract question, which it might be desirable to discuss at another time, but which had no relation to the motion before the House. As the right hon. Baronet had announced his intention of not explaining the grounds upon which the duties were laid upon particular articles, although he had taken the whole recess to consider the subject, he, or the Vice-President of the Board of Trade, ought, at least, to have given some general exposition of the reasons which had led to the establishment of the new differential duties. That, however, had not been done. He had heard nothing but declamation about the advantage of maintaining our connection with the colonies, all of which was totally beside the question. The other night the right hon. Baronet, after laying down some sound principles, and expatiating upon the advantages which must result from the people of this country being able to obtain commodities at a cheaper rate, concluded by assuring the House that there was little chance of the articles upon which he had lowered the duties in his tariff being procured at a less price than at present. He hoped, that when the House came to examine the tariff in detail, they would find that the changes proposed in it were not merely ideal, but that there would be something in it which would really benefit the public.

The House divided on the question that the Chairman do leave the Chair:—Ayes 281; Noes 108: Majority 173.

List of the AYES.

Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Ackers, J.
Acton, Col.
Adare, Visct.
Ainsworth, P.
Alford, Visct.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Archdall, Capt.
Arkwright, G.
Ashley, Lord
Astell, W.
Attwood, M.
Bagge, W.
Bagot, hon. W.
Bailey, J.
Bailey, J. jun.
Baillie, Col.
Bailey, H. J.
Baird, W.
Baldwin, B.
Balfour, J. M.
Barclay, D.
Baring, hon. W. B.
Baskerville, T. B. M.
Beckett, W.
Bell, M.
Beresford, Major
Bernard, Visct.
Blackburne J. I.
Blackstone, W. S.
Bodkin, W H.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Brocklehurst, J.
Brooke, Sir A. B.
Brownrigg, J. S.
Bruce, Lord E.
Bruce, C. L. C.
Buck, L. W.
Bulkeley, Sir R. B. W.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Campbell, A.
Cardwell, E.
Carnegie, hon. Capt.
Cayley, E. S.
Chapman, A.
Charteris, hon. F.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christmas, W.
Christopher, R. A.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Cochrane, A.
Cockburn, rt. hn. Sir G.
Codrington, C. W.
Collett, W. R.
Colvile, C. R.
Compton, H. C.
Coote, Sir C. H.
Corry, rt. hon. H.
Courtenay, Lord
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
D'Israeli, B.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Drummond, H. H.
Dugdale, W. S.
Duncombe, hon. O.
East, J. B.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Egerton, Lord F.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Farnham, E. B.
Fellowes, E.
Feilden, W.
Ferrand, W. B.
Filmer, Sir E.
Fitzroy, Capt.
Fitzroy, hon. H.
Fleming, J. W.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Forester, hon. G.C.W
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W.E.
Gordon, hon. Capt.
Gore, M.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Greenall, P.
Greene, T.
Gregory, W. H.
Grimsditch, T.
Grimston, Visct.
Grogan, E.
Halford, H.
Hamilton, C. J. B.
Hamilton, W. J.
Hamilton, Lord C.

Hampden, R.
Hanmer, Sir J.
Hardy, J.
Hay, Sir A L.
Hayes, Sir E.
Heneage, G. H. W.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hill, Sir R.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Hogg, J. W.
Houldsworth, T.
Holmes, hn. W A'Ct.
Hope, hon. C.
Hornby, J.
Hutt, W.
Ingestre, Visct.
Inglis, Sir R. H.
Irton, S.
Jackson, J. D.
Jermyn, Earl
Jocelyn, Visct.
Johnson, W. G.
Johnstone, A.
Johnstone, Sir J.
Johnstone, H.
Jolliffe, Sir W. G. H.
Kemble, H.
Kerrison, Sir E.
Knatchbull, right hon. Sir E.
Knight, F. W.
Knightley, Sir C.
Lawson, A.
Lefroy, A.
Legh, G. C.
Leicester, Earl of
Lincoln, Earl of
Lindsay, H. H.
Lopes, Sir R.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. General
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.
M'Geachy, F. A.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
Marsham, Visct.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Maunsell, T. P.
Meynell, Capt.
Miles, P. W. S.
Miles, W.
Milnes, R. M.
Mordaunt, Sir J.
Morgan, O.
Morris, D.
Mundy, E. M.
Muntz, G. F.
Murray, C. R. S.
Neeld, J.
Neville, R.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
O'Brien, A S.
O'Brien, W S.
Packe, C. W.
Pakington, J. S.
Palmer, R.
Patten, J. W.
Peel, right hon. Sir R.
Peel, J.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Powell, Col.
Praed, W. T.
Price, R.
Pringle, A.
Pusey, P.
Rashleigh, W.
Reade, W. M.
Reid, Sir J. R.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Rushbrooke, Col.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scarlett, hon. R. S.
Scott, hon. F.
Shaw, right hon. F.
Sheppard, T.
Shirley, E. J.
Sibthorp, Col.
Smith, A.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, Lord
Stanley, E.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Taylor, J. A.
Tennent, J. E.
Thesiger, F.
Thompson, Mr. Ald.
Thornhill, G.
Tollemache, J.
Trench, Sir F. W.
Trollope, Sir J.
Trotter, J.
Turnor, C.
Tyrell, Sir J. T.
Vere, Sir C. B.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Vivian, J. E.
Waddington, H. S.
Walsh, Sir J. B.
Wilbraham, hn. R. B.
Williams, W.
Williams, T. P.
Wodehouse, E.
Wood, Col.
Wood, Col. T.
Worsley, Lord
Wortley, hon. J. S.
Wynn, Sir W. W.
Young, J.

TELLERS.
Baring, H. B.
Fremantle, Sir T. F.

List of the NOES.

Archbold, R.
Baring, rt. hon. F. T.
Berkeley, hon. C.
Bernal, Capt.
Bowring, Dr.
Brotherton, J.
Bryan, G.
Buller, C.
Byng, G.
Callaghan, D.
Carew, hon. R. S.
Cavendish, hn. G. H.
Chapman, B.
Childers, J. W.
Clay, Sir W.
Clements, Visct.
Cobden, R.
Colborne, hn. W. N. R.
Colebrooke, Sir T. E.
Craig, W. G.
Crawford, W. S.
Curteis, H. B.
Divett, E.
Duff, J.
Duncan, Visct.
Duncan, G.
Duncombe, T. S.
Dundas, Admiral
Dundas, F.
Dundas, D.
Dundas, hon. J. C.
Easthope, Sir J.
Ellis, W.
Evans, W.
Ferguson, Col.
Fitzroy, Lord C.
Gibson, T. M.
Gordon, Lord F.
Granger, T. C.
Greenaway, C.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Heneage, E.
Howard, hn. C. W. G.
Howard, P. H.
Howard, hon. H.
Howard, Sir R.
Howick, Visct.
Hume, J.
Jervis, J.
Lambton, H.
Layard, Capt.
Lemon, Sir C.
Macaulay, rt. hn. T. B.
M'Taggart, Sir J.
Maher, V.
Marshall, W.
Martin, J.
Mitchell, T. A.
Mostyn, hn. E. M. L.
Murphy, F. S.
Murray, A.
Napier, Sir C.
Norreys, Sir D. J.
O'Connell, M. J.
Ogle, S. C. H.
Ord, W.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Pendarves, E. W. W.
Philips, G. R.
Philips, M.
Plumridge, Capt.
Ponsonby, hon. J. G.
Redington, T. N.
Ricardo, J. L.
Rundle, J.
Russell, Lord J.
Rutherfurd, A.
Scott, R.
Sheil, rt. hon. R. L.
Shelborne, Earl of
Smith, B.
Smith, J. A.
Somerville, Sir W. M.
Stansfield, W. R. C.
Stuart, W. V.
Strutt, E.
Talbot, C. R. M.
Tancred, H. W.
Thornely, T.
Traill, G.
Troubridge, Sir E. T.
Turner, E.
Vane, Lord H.
Villiers, hon. C. P.
Vivian, hon. Capt.
Wakley, T.
Walker, R.
Watson, W. H.
Wilshere, W.
Wood, B.
Wood, C.
Wrightson, W. B.

TELLERS.
Hill, Lord M.
Tufnell, H.

House in committee.

House resumed.

Chairman reported progress, and obtained leave to sit again.

House adjourned till May 20th.

HOUSE OF LORDS,

Friday, May 20, 1842.

MINUTES.] BILLS. *Private.*—1ª· Duke of Cleveland's Estate; Earl of Devon's Estate; Viscount Fitzwilliam's (or Herbert's) Estate; Forth and Clyde Navigation; Liverpool Health of Town and Buildings Regulation; Guarantee Society; South Metropolitan Gas; Drogheda Harbour; Aberdeenshire Roads; Ashton's Divorce.

2ª· Dundee and Arbroath Railway.

Reported.—Gain's Naturalization; Southwark Improvement (No. 2, specially); Greenock Harbours (specially).

PETITIONS PRESENTED. By Lord Canwys, and Lord Clifford of Chudleigh, from Catholics of York, Congleton, Stourbridge, Richmond (Yorkshire), Huddersfield, Southport, Darlington, and other places, for better Religious Instruction for the Catholics in the Army and Navy.—By Lord Lorton, from Clongish, for the Encouragement of Schools in connexion with the Church Education Society (Ireland).—By Lord Sondes, from Gressenhall, for Inquiry into the course of Instruction pursued at Maynooth College.—By Lord Redesdale, from Goudhurst, for the Limitation of the number of Hours of Attendance of Children in the Factories.—From the Literary and Scientific Institution of Lewes, that such Institution may be Exempted from the Payment of Assessed and other Taxes and Rates.—From the Council of the Borough of Plymouth, against the Criminal Jurisdiction (Quarter Sessions) Bill.

THE TOWNSHEND PEERAGE.] Lord *Sydney* said, he had to present a petition from a noble relation of his, to which he was anxious to call the particular attention of their Lordships, not only as it had reference to the interests of the petitioner, but also from the novelty of the case, and likewise from the fact that it was a matter which might affect their Lordships' privileges. The petition was that of Charles Vere Ferrars Townshend, Esq., (commonly called the right hon. Lord Charles Vere Ferrars Townshend), only brother and heir presumptive of the most hon. George Ferrars, Marquess Townshend, Earl of Leicester, &c. The petitioner stated, that on the 12th of May, 1807, petitioner's brother, the said George Ferrars, Marquess Townshend (then commonly called Lord Chartley), was married to Sarah Gardner Dunn Gardner, the only child of William Dunn Gardner, of Chatteris, in the Isle of Ely. Soon after the marriage, the husband and wife separated, and in November in the same year, the Marchioness Townshend instituted a suit in the Ecclesiastical Court, in order to have the marriage annulled on the ground of the impotency of her husband, the Marquess. While this suit was still pending, Sarah Gardner, Marchioness Townshend, in the month of May, 1809, eloped from her father's house, with John Margetts, who then carried on the business of a brewer at St. Ive's, in the county of Huntingdon, to whom she was married at Gretna-green on the 24th of October, 1809. On the 17th of January, 1810, Sarah Gardner, the said Marchioness Townshend, was delivered of a son, who, it is supposed, died a few months after his birth, and whom the Marchioness, in answer to a bill in Chancery, in 1834, styled the right hon. George Townshend, commonly called the Earl of Leicester. In the same month of November, 1810, the Marchioness, accompanied by John Margetts, removed to the house of her father, in Lower Grosvenor-street, and while there called themselves, and were called by others, Mr. and Mrs. Margetts. They afterwards went to reside in Hunter-street, in the parish of St. George, Bloomsbury, on or about February, 1811, and continued to reside there until the end of 1840, always passing as man and wife, and (until about the month of December, 1823) using and being known by no other names than Mr. and Mrs. Margetts. In July, 1811, the Marchioness gave birth to a son, who received the name of John, and was known by no other name than that of "John Margetts," until about the month of December, 1823, when he assumed the title of Lord John Towshend. There were several other children, three sons and two daughters, of John Margetts by the Marchioness Townshend; and, on the 26th of December, 1823, those children,—namely, John Margetts, William Margetts, Rosa Jane Margetts, Frederick Thomas Margetts, and Lavinia Charlotte Sarah Margetts, were all baptised at the parish church of St. George, Bloomsbury, by the name of Townshend, and entered in the register of that parish as the children of the most noble George Ferrars, Marquess Townshend, and the most noble Sarah Dunn Gardner, Marchioness Townshend, whose place of abode was stated to be Hunter-street, St. George, Bloomsbury. It could be shown, that since the month of May, 1808, the Marquess Townshend had not lived or cohabited with his wife Sarah; that the children up to the period of the baptism just mentioned, lived with the Marchioness and Mr. Margetts, whom they always called father and mother, as Mr. and Mrs. Margetts. These facts were but an outline of the case which the petitioner was prepared to prove before their Lordships, and he was sure it would not be deemed unreasonable that the petitioner and other members of his family should be desirous of doing so, seeing as they did that the Member for Bodmin had assumed the title of Earl of Leicester, the second title of their family. This assumption was unfounded in any rightful claim, and was calculated to impose on the House of Commons, and might hereafter affect the privileges of their Lordships, if the case should not now be gone into, by taking a seat in their House to which he was not entitled. He would read the recapitulation of the heads of the petition, which were as follow:—

"That the said Sarah Gardner, Marchioness Townshend, many years after the baptism of her said children, and after the assumption by them of the status of children of her marriage, on being interrogated by the Court of Chancery, whether the said children were actually the issue of her husband, evaded the question, and plainly showed that she dared not assert that they were so. When exceptions were taken to her answer on that very point, and when pressed by interrogatories which admitted neither of evasion nor equivocation, her conduct was widely different from that of an innocent woman, eager to seize so favourable an opportunity for clearing her own fame, and for vindicating the right of her children to the rank, title, and station which had been claimed for them. The exceptions having been allowed, she had no other alternative than to declare the truth, or to risk the penalties of wilful perjury; and an arrangement was therefore made, by which the necessity of any further answer was avoided. While every act on the part of the said Sarah Gardner, Marchioness Townshend, and of her family, during a series of thirty-three years, shows that her children were the issue of the adulterer, the conduct of the said George Ferrars, Marquess Townshend, and of the members of his family, proves that both he and they have uniformly, decidedly, and consistently repudiated the said children.

"That your petitioner is fully prepared to establish each and all the facts which he has stated, by evidence of the most conclusive character, consisting partly of letters, and other documents, and partly of the testimony of living witnesses.

"That your petitioner is advised that there are no means whatever by which he can dispute the legitimacy of the said John Margetts, the younger (calling himself 'Earl of Leicester') in a court of law; that some of the witnesses, by whom only many of the most important facts can be proved, are now far advanced in life, and in uncertain health; and there are other persons whose testimony is material, but who refuse to make any disclosures unless compelled by a court of justice; but if any of these persons should happen to die in the lifetime of the said George Ferrars, Marquess Townshend, it may be impossible to prevent an individual notoriously begotten and born in adultery from succeeding to the honours of your petitioner's family; that in consequence of there not being any property involved in the succession of your petitioner as heir to his said brother George Ferrars, Marquess Townshend, your petitioner is advised that he cannot file a bill in the Court of Chancery to perpetuate the testimony of the witnesses alluded to; and he respectfully submits, that it would be not merely an anomaly, but an injustice to the families of the Peers, if, while the law has provided means for securing the rights of inheritance of the humblest person in the kingdom to every kind of property, however small (by enabling the party interested to perpetuate the evidence of witnesses in case of their death), no such means should exist with respect to the highest and most important right of inheritance known to the constitution (except the Crown itself),—namely, the dignity of a Peer of the realm.

"That your petitioner, at the same time that he is naturally anxious to secure to himself and his family the enjoyment of his and their legal rights, and to prevent the same from being lost by the success of an imposition so audacious as to be absolutely without precedent, nevertheless feels that your Lordships have at least an equal interest in the question. By the loss of the testimony upon which your petitioner now relies, it may happen that your petitioner and his family will be deprived for ever of the honours conferred upon their ancestors; but in that case, the spurious issue of an adulterer will, against all moral conviction, become entitled to a seat in your Lordships' House.

"Your petitioner, having thus brought before your Lordships the facts of a case in which the right of succession to several peerages is actually involved, and having stated his anxious desire, as heir presumptive to those dignities, to establish before a competent tribunal all that he has herein alleged, humbly submits the difficulties and impediments under which he labours, and the injustice which may arise, as well to your Lordships and the Peerage, as to himself and his family, to the consideration of your Lordships, and humbly prays your Lordships to provide such remedy, or adopt such proceedings as in your Lordships' wisdom may seem meet."

He fully concurred in the prayer of the petition, and he trusted their Lordships would not permit this audacious attempt to impose on them and the other House of Parliament by the assumption of a title to which the party who had assumed it had no claim. He did not press this subject on their Lordships' attention, solely on the ground that it affected the interests of the petitioner. There were other and most important interests,—namely, those of their Lordships, which might also be affected by the assumption to which the petition referred, inasmuch as a proper investigation now might prevent an unjust claim to a seat in their Lordships' House. He would again assert, that the petitioner could prove most satisfactorily that the assumption of the title of Earl of Leicester by the Member for Bodmin, was an imposition on the other House of Parliament, which ought to be exposed and treated as it deserved. He would now move, that this petition do lie on the Table.

Ordered.

Lord *Brougham* wished to ask what course his noble Friend (Lord Sydney) meant to pursue with respect to the petition? From the extraordinary nature of that petition, and the extreme importance of the facts which it set forth, it was obvious that it could not be allowed to remain on the Table without having some motion founded upon it. Having been brought under the consideration of their Lordships, it was clear that it could not remain without some further notice, and this, not only in justice to the interests of the petitioner, and for the sake of the privileges of that House, which it might affect, but also in justice to those parties against whom its allegations were directed. He would venture to suggest to his noble Friend that he should move for a committee to search for precedents, because the case at present appeared at least unprecedented. There was no case within his knowledge which could be considered a precedent for this, but there might be cases found, the principles, or the mode of proceeding in which, might be applicable to it, and with that view he had suggested the appointment of a committee.

Lord *Sydney* fully concurred in the suggestion of his noble and learned Friend. He had waited, without taking any step beyond that of moving that the petition do lie on the Table, in order to hear the opinions of others as to the course which it would be desirable to pursue. He concurred in the opinion of his noble and learned Friend, and would now move that a committee be appointed to search for precedents in the case of the petition.

Motion agreed to.

While the noble Lord was nominating the committee,

The Earl of *Minto* said, that it would be more consistent with the practice of the House to have given notice of the intention of the noble Lord to move for a committee.

Lord *Brougham:* Notice was given before the holidays that this petition would be presented to-day.

The *Lord Chancellor:* The motion for the appointment of a committee has been put and agreed to. If the noble Earl wishes, he may move that the naming of the noble Lords who are to constitute the committee should be deferred to another day.

Lord *Campbell* said, that he could not help feeling some regret that more deliberation had not taken place. He agreed with the noble and learned Lord near him, that the case was quite unprecedented. He thought that it was as clear as anything could be, that without a reference from the Crown their Lordships had no jurisdiction in such a question. If that were so, where was the necessity of a committee to search for precedents. With one exception, the case of the Banbury peerage in Queen Anne's time, he believed no precedents could be found for proceeding in such a case, without any reference from the Crown. In that case the House proceeded without any such reference; but what were the consequences? The Court of Queen's-bench held the decision of the House of Lords as void, and all the proceedings as *coram non judice.* Lord Holt said, that the House had no more jurisdiction than any twelve porters assembled in any public-house in Westminster. Why then, he would ask, should they search for precedents, when even if any such were found nothing could be done with them? He acknowledged the great hardship complained of by the petitioner; but he thought they ought to consider whether there ought not to be some new legislation on the subject, some general or particular law to remedy the grievance of the petitioner. He would suggest to the noble Lord who presented the petition, whether it would not be better for him at once to move, or give notice of his intention to move, for leave to bring in a general bill, or a bill applicable to this particular case. He saw no use in a committee to search for precedents, and he wished to ask his hon. and learned Friend whether the House could take any steps in such a case as this without a reference from the Crown.

Lord *Brougham* said, that the difficulty was, that the case was as unprecedented as the argument of his noble and learned Friend, which unfortunately came after the House had consented to the appointment of a committee. It was true his noble and learned Friend might move to have that motion rescinded, though the committee had been appointed on good grounds; for their Lordships would not take for granted that any particular course should be adopted as the result of their inquiry. There were some precedents—for instance the well known case of Savage, in which a precedent had been laid down which he should not wish to see followed. However, the inquiry was, he thought, the first step which ought to be taken.

Lord *Sydney* said, that he had thought it better to have the matter referred to a committee in the first instance, and before any legislative measure should be introduced. If no precedents could be found which could guide their Lordships, it would then be time to consider whether some general or special measure might not be required.

Committee named.

House adjourned.

HOUSE OF COMMONS,

Friday, *May* 20, 1840.

MINUTES.] BILLS. *Public.*—1°· Bribery at Elections; Tithe Commutation.

Reported.—Colonial Passengers; Roasted Malt; Law of Merchants Act Amendment.

3°· and passed:—Pentonville Prison; Australia and New Zealand; Excise Duties Compounds.

Private.—2°· Medbourn Inclosure (No. 2); Imperial Insurance Company; Cass's Estate.

Reported.—Gravesend Terrace Pier; Slug Road; Cwm, Celyn, and Blaina Iron Company; London and Croydon Railroad (Grange Road Approach), (No. 2); Holywell Roads; Kingstown Mariners Church.

3°· and passed:—Aberdeenshire Roads; South Metropolitan Gas.

PETITIONS PRESENTED. By Mr. P. Howard, from Roman Catholics of Carlisle, Richmond (York), Brough, Huddersfield, Darlington, Congleton, and other places, for Equality of Civil Rights.—By Sir H. Douglas, Lord Worsley, Sir John Easthope, and Mr. Fleming, from Ropemakers and Spinners of Leicester, Aberdeen, Warwick, Portsmouth, Falmouth, Gainsborough, and Wolverhampton, against the Reduction of the Duties on Rope and Cordage.—By Mr. Grogan, from Clongish, and Waterford, against the present System of Education (Ireland)—By Mr. M. Phillips, from the President of the Manchester Medical Society, the Guardians of Berwick-upon-Tweed Union, and Launceston Union, for Alteration of the Poor-law Amendment Act.—By Lord Robert Grosvenor, from Chester, for the Extension to the whole of the United Kingdom of the Regulation with regard to the Closing of Public Houses on Sunday Mornings.—From Wilts, and the Wester Row Farmers Society, against the Importation of Cattle and Meat.—From Abergavenny, for the Improvement of the Old Passage Ferry.—From Fishermen of the Rivers Nore, and Barrow, against the use of Salmon Wiers and Stake Nets.—From Peckham, against any further Grant to Maynooth College.—From Alverstohe, against the Dissolution of the Gilbert Unions.—From Lambeg, for providing Coffins for such Destitute Persons as die out of the Workhouses.—From British Merchants, and others at Antwerp, for placing the Postage and Communication of Great Britain with Belgium on the same footing as with France.—From Grimsby, against the Property Tax Bill.—From Upper Eshols, and Manchester, for the Repeal of the Corn-laws.—From Dundee, against the Reduction of the Duty on Whale Oils and Whale Bone.—From Manchester, and Salford, complaining of Recent Outrages in the Province of Ulster.—From Manchester, Altrincham, Hulme, and other places, against the Turnpike Roads Bill.—From R. J. Morrison, for the adoption of Regulations to prevent Accidents on Railways.

FLINT ELECTION.] House informed, that the committee had determined,—

"That Edward Mostyn Lloyd Mostyn, esquire, commonly called the honourable Edward Mostyn Lloyd Mostyn, was not duly elected a knight of the shire to serve in this present Parliament for the county of Flint:—That Sir Stephen Richard Glynne, baronet, was duly elected, and ought to have been returned a knight of the shire to serve in this present Parliament for the county of Flint."

Determinations to be entered in the Journals of this House.

Return amended accordingly.

MR. WARNER'S INVENTION.] Major *Vivian* wished to put a question to the right hon. Baronet respecting the invention of Mr. Warner, who professed to have discovered a method of destroying the largest fleets and the strongest fortifications. His noble relative had instituted some inquiries upon the subject, and, on a former occasion, the right hon. Baronet had taken much interest in the question, and what he wished now to ascertain was, whether any new experiments had been made to test the value of the discovery.

Sir *R. Peel* replied that he had witnessed an experiment upon a small piece of water which had certainly been successful, and it had appeared to him that the experiment was so deserving encouragement that conditions had been proposed to Mr. Warner, under which he was to make a further trial. Two officers had been appointed to conduct any fresh experiments; but Mr. Warner not having accepted the conditions, none had been made.

BRIDPORT ELECTION—MR. WARBURTON.] On the Order of the Day for a committee of supply, Mr. *C. Buller* begged to put it to the House whether he could not bring on the question relating to the borough of Bridport, and the petition he had presented from Mr. Warburton, as a matter of privilege. It seemed to him, that the case stood precisely on the same ground as others brought forward by the hon. Member for Bath (Mr. Roebuck), for his whole argument would be to show that there was no distinction between them. It seemed to him, therefore, that the same rule of privilege ought to be applied to them.

The *Chancellor of the Exchequer* thought no pressing necessity existed, and that the House ought not to give way too easily upon such a point, and treat as matters of privilege questions strictly not of that character, the discussion of which would interfere with the transaction of the ordinary business of the House. The present case was different in this respect—that in the instances referred to the hon. Member for Bath stated in his place that he believed a corrupt compromise had been effected. On that assertion the House had granted the courtesy of privilege, although perhaps it could not strictly have been conceded. The present motion was merely to refer the case of another borough to the committee now sitting.

Mr. *C. Buller* was prepared to make the same assertion as that of the hon. Member for Bath, on which the House had consented to treat the motion as a matter of privilege. As to the pressure of the case, he had presented a petition charging Members of the House with bribery and compromise of an improper nature; and in justice to them it seemed proper that the discussion should be brought on immediately.

Sir *R. Peel* apprehended that great public inconvenience would arise out of a departure from the ordinary rule. In the case of Nottingham there might be reasons which did not apply to the case of Bridport, and if the question regarding the latter were now brought on, it would be in the power of any Member to obstruct the public business. He appealed to the impartial authority of the Chair, whether the question relating to the Bridport petition could be deemed a matter of privilege.

The *Speaker* said, that it certainly was not such a matter of privilege as entitled it to precedence. He would remind the House of the relative strictness with which the rule as to privilege was enforced. If a debate on a question of undoubted privilege were adjourned, on its renewal it was not entitled to precedence. He was, therefore, of opinion, that according to the letter and spirit of the rule applied to such cases, the consideration of the petition regarding Bridport was not to be held a matter of privilege. It appeared to him that the House ought not to allow subjects to be intro duced as of privilege, of which notice for a future day could without inconvenience be given.

Mr. *Mitchell* expressed his hope, that the question would be brought forward on the earliest opportunity. He wished to go fully into his answer to the several allegations of the petition, and he assured the House, that to a large portion of them he could give an unqualified denial. The hon. Member for Liskeard was anxious that the question should not be delayed, and he heartily joined in the same feeling. He wished to direct attention to one fact. He believed that where a petition charged a Member with anything wrong, the order of the House was, that it should be printed solely for the use of the Members. If that were the case, he begged to inquire how it happened that on Saturday morning, before any Member obtained the petition as printed for his use, it was inserted at length in the *Morning Chronicle*,

Mr. *C. Buller* said, that he had been no party to the publication of the petition.

Mr. *Cochrane* observed, that the petition, to a certain extent, affected his private character, and on this account he wished that it should be discussed in a full House as soon as possible.

Sir *R. Peel* observed, that it was his duty to advise the House to proceed to the regular Orders of the Day. His experience was in favour of adhering to the established practice, and if motions of this kind could be brought on as privilege, there might be no end to the interruption of public business.

Mr. *Mitchell* wished to be informed when the subject would again be introduced. He and his hon. Colleagues were charged with a high offence, and they had a right to expect an early opportunity of defending themselves.

Mr. *C. Buller* was precisely of the same opinion. He was quite ready to wait until the very end of the night, and then bring the question forward, or to give notice for Thursday next, unless he could prevail upon the House to give him an earlier day. Both hon. Members must be aware, that he was prevented from proceeding by the rules of the House.

Mr. *Mitchell* could not consent to have the debate commenced when Members were worn out with attention to other matters. He wished, however, for the earliest opportunity of vindicating his character.

Mr. *Cochrane* apprehended that Thursday was pre-occupied. The accusation had found its way into every newspaper, and he urged that the opportunity for reply and refutation ought not to be delayed an hour beyond the absolute necessity of the case.

Mr. *Mitchell* should not object to Thursday, if Thursday could be secured. He doubted, however, whether other hon. Members who had earlier notices for that day would relinquish their rights; and unless some assurance were given that Thursday should be applied in the first instance to the case of Bridport, he hoped he should be forgiven if he took a method of introducing the question on Tuesday, notwithstanding what had fallen from the right hon. Baronet. He was almost disposed to ask the House to meet at twelve to-morrow, if the subject could not be discussed on Tuesday or Thursday next. It was most unreasonable and unfair, that it should be kept pending during the whole of next week.

Sir *R. Peel* was willing to do all in his power, and to undertake that no Government question should interfere with the discussion on Thursday. For individual Members, he could not, of course, answer.

Mr. *Cochrane* said, he had good reason for believing, that one hon. Member who had a notice on the paper for Thursday next, would not be disposed to give way in favour of the motion of the hon. and learned Member for Liskeard. The consequence, then, would be, that this question, in which he and his hon. Colleague were so interested, could not be brought forward, until a very late hour of the evening. He must again express his deep regret, that he and his hon. Colleague should be obliged to remain so long under the charges which had been brought against them.

Order of the Day read.

On the question, "that the Speaker do leave the Chair,"

Mr. *Mitchell* said, that he had no wish whatever to obstruct the proceedings of the House on supply nights; but he begged to say, that it was his intention on Tuesday next, to inquire whether hon. Gentlemen who had notices of motions on the paper for Thursday, would be likely to occupy the attention of the House for any length of time, and if these hon. Gentlemen who intended to bring forward such motions did not give way to the question in which he and his hon. Colleague were so much interested, and that the consequence, then, would be a postponement of this discussion to the week following, he should consider it his duty to move to have the subject brought before the House on Tuesday next.

THE WELSH CIRCUITS.] Mr. *W. O. Stanley* had seen the following statement in some of the newspapers, and wished to be informed if there were any truth in it:—

> "We understand that a bill is about to be introduced by Government, to attach Shropshire to this circuit (North Wales), to merge the six counties of North Wales into three, for assize purposes, by joining two together, and holding the assize alternately in the chief town of each; to transfer Hereford and Monmouthshire to the South Wales circuit, and to send two judges on the Welsh circuits instead of one. Lord Abinger is the proposer of these alterations."

Sir *J. Graham* said, that he had never heard of any such suggestion, until his attention was called to it by the hon. Member.

THE UNITED STATES' BOUNDARY QUESTION.] Viscount *Palmerston* said, that the House would probably recollect, that in 1839, a commission was sent out to explore the line of boundary claimed by the British Government as the frontier of our North American colonies, and to ascertain whether that line of boundary was consistent with the general features of the country, and in conformity with the treaty. A report was made by these commissioners in 1840, and it had been laid before the House. It was then thought expedient to ascertain whether the line claimed by the government of the United States was consistent with the general features of the country, and reconcileable with the words of the treaty; if it were found otherwise, of course, it would materially strengthen the claim of Great Britain, or at all events place her claim on a better footing. Early last year, therefore, he had sent two commissioners to explore the line, and he understood that they had recently returned to this country. He wished to be informed when it was likely, that their report would be in a fit state to be laid before Parliament, as a continuation of that of 1840?

Sir *R. Peel* apprehended, that there had been an intermediate report not laid upon the Table by the noble Lord while he was in office; he meant a report made, if his memory served him, in December, 1840, pursuant to instructions from the noble Lord. The commissioners referred to, had lately returned to England, and he had seen their report within the last few days. There were certain annexes to it, consisting of scientific observations and plans, which were not yet completed; and as soon as they were finished, which would only occupy a short time, the whole would be laid upon the Table.

OUTRAGES IN TIPPERARY.] Mr. *S. O'Brien* begged to inquire of the noble Lord whether it were true, that serious disturbances had recently taken place in Tipperary, and what were the measures which had been in consequence adopted by Government.

Lord *Eliot* said, that it was unhappily true that serious outrages had been committed in the north riding of the county of Tipperary, but he apprehended that some of the accounts in circulation were exaggerated. The hon. Member had given him notice of his intention to ask the question, and he had prepared a comparative statement of outrages in the first four months of 1841, and in the first four months of 1842. In 1841 there were 305 outrages. In 1842 there were 327 outrages, showing a small increase; but in the higher class of crimes, such as homicide and wrong to the person, the number had decreased from nine to four, and from twelve to five. In the districts of Nenagh and Borrisokane, the numbers, in the first four months of 1841 and 1842, had been the following:—In 1841 there were 118 outrages; in 1842, 108 outrages, showing an actual diminution of ten. The House would not understand that he was anxious to establish that the disturbed district was not in an unsatisfactory state; on the contrary, it unquestionably required the prompt attention of the Irish government; but that attention had been given, and he would mention the present amount of police force. There were no fewer than 800 constables already in Tipperary and an additional reinforcement of 100 men had also been dispatched to that county. There were seven stipendiary magistrates, and four others had been stationed on the borders of the adjacent counties. The whole force was under the orders of Captain Hastie, an able and distinguished officer who had hitherto been provincial inspector in Connaught. No more competent person could well have been selected, and if further reinforcements were required, they would be immediately sent to the spot. He trusted that enough had been done to restore and preserve tranquillity, and that it would not be necessary for Government to apply to Parliament for any powers beyond those which the law at present afforded. He might be allowed to add his belief that the more atrocious crimes were to be traced to the facility of procuring and using fire-arms. It had been represented to him that the law upon this subject as it stood was sufficient, but if any alteration should be required, it would be in this respect. He meant to pronounce no opinion, but merely to state that it might hereafter be found necessary to legislate upon this point. Perhaps, before he sat down, he might be permitted to bear testimony to the praiseworthy conduct of the Roman Catholic clergy. They had denounced the outrages in the strongest manner, as well as all illegal associations out of which they arose, and they had zealously exhorted their flocks to abstain from violence, to respect the law, and to aid in bringing criminals to justice. He trusted that their continued exertions would be attended with the success they deserved, and that the disturbed districts of Tipperary would no longer furnish a painful contrast to the peaceful state of the rest of Ireland.

ORDNANCE ESTIMATES.] The Speaker left the Chair. House in committee of supply.

Captain *Boldero* rose for the purpose of bringing forward the Ordnance Estimates. He assured the committee, that every item had been most minutely examined to ascertain how far practical economy could be carried without lessening efficiency. The consequence was that he was enabled to lay upon the Table estimates amounting to 59,000*l.* less than last year: it was right, however, to add that the calculations had been made with reference to the force sanctioned by the House to be maintained both for the army and navy. The Ordnance Department, as store-keepers, was responsible for an adequate supply of warlike stores, both to vessels of war and to the army, and the expenses must necessarily depend upon the amount of force maintained. The national warehouses must at all times be furnished with stores of all kinds, and for all emergencies, so that if an adversary took a step, this country might at once be prepared to take a step beyond him. If such were not the case, a heavy imputation would justly lie against the Ordnance Department. It was his duty to call attention to the unfortunate, melancholy, and disastrous intelligence from India; a great additional expenditure had thus been thrown upon the department to which he was attached, and it would be his unthankful task before the conclusion of the Session to ask for a grant to cover charges rendered necessary by the exigencies of the case. The reduction this year was, as he had said, 59,000*l.*, and but for particular circumstances, over which the department had no control, it would have been considerably more. One of these circumstances was the unfortunate catastrophe, the conflagration at the Tower, which had rendered a demand for a heavy vote imperatively necessary. Last year it had been decided by Government and sanctioned by the House, that the muskets of the army should be changed from flint to percussion, and a vote was taken by the Master-General of the Ordnance for a larger sum than had ever been required since the year 1815, viz., 130,000*l.* Large as that sum was, it had not been found sufficient, and this year 50,000*l.* more would be required for the same purpose. He would take this opportunity of disabusing the public mind, and of removing an erroneous impression as to the amount of loss by the late fire. He had seen the loss stated at sums between half a million and 250,000*l.*, but it was with some satisfaction he informed the House that the real loss would scarcely exceed half the smaller amount he had mentioned: 128,000*l.* was all that would be required to repair the damage which had been so unfortunately caused. It might be interesting to the committee to know the number of small arms consumed, and the whole amount of the loss sustained by the public. The number of small arms in the Tower on the night of the fire was 94,500 stand, but of these there were 12,000 stand which had been condemned as unserviceable, and there were saved about 4,000, which would reduce the whole loss to 78,500 stand of arms. The entire value of the collection to the public was 168,000*l.*; there were saved a little more than 20,000*l.* worth, and there was lost in the shape of trophies and other articles which could not be replaced 20,000*l.*, leaving the whole loss therefore to be provided for 128,000*l.* [Viscount *Palmerston:* Does that include the building?] As to the value of the building different opinions had been taken. From the state in which it was previously to the fire, it would have been neither prudent nor sound policy to have it repaired; the large number of arms in the upper story had caused the walls to bulge out from a perpendicular. But the upper story had been relieved by the noble Lord, who had kindly sent 168,000 stand of arms away for the use of the Queen of Spain; the necessity for using that story was then taken away, and the basement could have been used for four or five years more, so that the value of the building was very small. By the unforeseen circumstance, however, of its destruction, an addition of 50,000*l.* had been thrown on the estimates to make up for the loss occasioned by the fire. If they looked to the amount of the army extraordinaries transferred to the Ordnance Department by the Treasury minute of January 21, 1840, they would find that a sum of 64,000*l.* was asked when the whole amount taken last year was 32,000*l.* There was not the shadow of blame resting on the late board that the vote was not equal to the expenditure; the commissariat department had since made certain returns, in consequence of which the amount then granted had fallen short 16,000*l.*; to remedy that he this year proposed to take a double vote. There was another item which was not in the late estimates, and which he thought he ought particularly to mention. It amounted to 7,000*l.*, and arose from the birth of an heir to the Throne of these realms, in consequence of which her most gracious Majesty had been pleased to command a brevet in the army and navy to commemorate an event so joyful to the nation. The present vote was calculated on an expenditure of seventeen months, so that next year the vote would be only 5,000*l.* When his two hon. Friends near him had introduced the army estimates and the navy estimates, they had taken a brief but explicit view of each particular vote, and had explained the cause of the increase or diminution under each particular head. He would, therefore, imitate their example, and briefly detail the different heads of increase and diminution. The present estimates were divided into ten votes, and the whole increase was not more than 3,000*l.* and it took place in three only of those votes. The first vote which he would allude to stood on the list No. 1, the vote for the civil establishments at the Tower and Pall-mall, for the departments at Woolwich, for the out-stations in the United Kingdom, and for foreign stations. For the civil services in all these departments there was an increase of 2,196*l.*, but that increase arose chiefly from the sum of 1,325*l.* in the salaries on foreign stations, not hitherto borne by the estimate, so that the whole increase of the estimate was about 800*l.*, caused by the increase in the salaries for the services of the civil servants, arising from length of service. On the fourth vote, for the barrack establishment, there was an increase only of 86*l.*, the difference of 1,315*l.*, being caused by the salaries to the barrack masters and sergeants in the colonial barracks of Jamaica, which had not hitherto been borne by the Ordnance estimates, and which would cause no actual expenditure by the Government, the colony being credited for the whole amount. The next vote on which there was an increase was the 9th, the superannuated vote, and that arose from the extra 7,000*l.* to which he had alluded, owing to the brevet. Those were the only three votes on which there was any increase. The diminution, he was happy to say, covered all the increase, and left 58,998*l.* to spare. In the vote No. 2, for the royal engineers, and the sappers and miners, there was a small diminution of 411*l.*, arising from the promotion of officers by the late brevet, which caused a less sum to be granted for length of service. The next decrease was in the third vote for the Royal Artillery. The effective force of this corps was the same as last year, but there was a diminution of 3,706*l.*, which arose in consequence of a different arrangement that he (Captain Boldero) had introduced respecting the clothing and pay of the gentlemen cadets. He found that the expense of the academy at Woolwich had been voted in four votes, under different heads, so that even to the most practised the expense was not very clear, and he had thought it better to place under one view the whole of the expenditure for the academy. If they turned to appendix D, they would find the whole expense of the military academy and of the gentlemen cadets to be 16,081*l.*, of which there was received as contributions from the friends of the gentlemen cadets 14,485*l.*, and stoppages for clothing, &c., 100*l.*, together 14,585*l.*; leaving the only sum to be voted by the public 1,496*l.*: and when they looked at the sum voted last year, which amounted to 3,756*l.*, it would be found that the vote which he asked was less by 2,260*l.* than the vote of last year. In the vote No. 5, also for Ordnance works, barrack-masters' and store-keepers' expenditure, there was a considerable diminution, viz., 7,616*l.*; and that would be increased to 17,116*l.*; for in the vote he had taken credit, 4,500*l.* for barracks in Jamaica, and 5,000*l.* for barracks in the Mauritius—services not hitherto borne upon the Ordnance estimates, for the repair of barracks in those two colonies —as the vote stood, however, even with this addition, it was 7,616*l.* less than last year. In the sixth vote, also for military and civil contingencies, there was a diminution of 16,714*l.*: that vote had undergone great consideration and great alteration, but the diminution arose chiefly from the circumstance that the survey of Ireland being nearly completed, a less sum was required for that duty. The seventh vote, for stores, was less by 184*l.*; that sum was in itself trivial, but there was no vote that had undergone more consideration. Notwithstanding the increase of 50,000*l.* for small arms, there had been a diminution in the stores required for the surveys, of 8,000*l.*; in the supply of iron ordnance, shot, shells, &c., for the navy of 34,000*l.*; for bedding, furniture, &c., of 8,000*l.* The vote No. 8, was, what was termed the unprovided services. The whole amount now required was 2,788*l.*, for the expenses caused in Syria; and by comparing this sum with the vote of last year, there would appear a diminution of 2,791*l.* The last vote to which he would allude was No. 10, for commissariat supplies for the United Kingdom, on which there was a diminution of 29,481*l.*, and it arose from the contract rate of meat, fuel, forage, and straw, being less this year, and from the application of stores purchased for Canada, which had not been sent out. Having thus gone over all the votes, he would turn to Appendix A. The committee would there find a list of the important works now in progress in the engineering department. All these works had been before the House; they had been sanctioned by the House.

The House was aware of each and every item, except of one 18,000*l.* for permanent barracks at Newcastle in Jamaica, caused by the loss of our soldiers in the old barracks in that colony. Under the head of contemplated works, there was an extra vote for a sum of 3,952*l.* for barracks for the Royal Artillery at Kingston, in Canada, the troops not being able to reside in their present unhealthy situation. The only new work was a new practice range at Woolwich; this was the only work for which, as a whole, the present Government was responsible; and this had been rendered essential by later circumstances, although the old range never was adequate. The greatest extent of the old range was only 1,250 yards between the battery and the mark, and when they recollected that they had mortars and howitzers capable of projecting shots and shells for three miles, whilst their range was only 1,250 yards, it was clear that it was impossible to test their powers. With 1,250 yards range, they met with the river, and although their shot and shell could be carried three miles they could not so carry them because of the impediments in the river. This had always been an impediment, but formerly there were intervals of more than an hour, it was now more crowded in consequence of the use of steam. By a return he had prepared, it appeared that in the course of twelve or thirteen hours there were upwards of 400 boats and vessels passing, which so obstructed the progress of the experiments, that it was absolutely necessary to have a new ground provided. Last year the artillery had marched their nine pounders down eighteen times, and had had to go back without firing a shot, and it was not uncommon to go five or six times without practice. All those facts rested on the authority of Lord Bloomfield himself. It was a great evil, that the artillery often left Woolwich for other places without having seen a shot fired. They had heard of sixty-eight pounders, of fifty-six pounders, and of ten-inch howitzers; they knew by theory how to fire them, but in practice they had never seen a shot fired. The names of the officers for service were kept on a roster, and when officers were required they were selected out of the roster from those who had been at Deal, and had there had an opportunity of witnessing what they could not see at Woolwich. The officers who had been fortunate enough to have seen this practice were selected out of their turn for service. This could not but create discontent—it struck at the root of all discipline, and disgusted officers with the service; and all these evils were caused by the Government not providing a proper range for artillery practise. He had dwelt at some length on this subject, because, after a service of twenty years in the Ordnance, he knew its importance; and he thought that, in endeavouring to obviate the impediments to which he had alluded, the Government were justified in incurring some expense, and that the House would deem the course they took perfectly justifiable. The Government asked for 2,000*l.* for building new batteries, and 400*l.* a-year for the hire of ground for two or three days in the week for the purposes of the practice. He believed that this measure would tend to advance the science of gunnery, and to render still more efficient a branch of the service which now excited the admiration—and he might say the envy—of all foreigners who witnessed its evolutions. He concluded by moving,

> "That 121,827*l.* be granted for the service of her Majesty, for defraying the salaries at the Tower and in Pall-mall, the expenses of the establishments at Woolwich, on out-stations, and on foreign stations."

Mr. *W. Williams* would have been satisfied with the statement of the hon. and gallant Gentleman, if he had added what was the additional amount likely to be required in an extraordinary estimate in consequence of the disastrous news from India. There was one item, however, in the vote now proposed to which he wished to call the attention of the committee—it related to the expenditure of the barrack department. He thought that a great reduction might be effected in the vast expenditure for store-keepers. There were eighty-seven store-keepers in charge of seventy barracks, and of these seventeen were deputy store-keepers. He was quite at a loss to discover the utility of deputy store-keepers where store-keepers were employed. These seventeen deputies cost the country 6,290*l.* a-year in salaries alone; and he could not conceive that any necessity could exist for them. For instance there appeared to be a store-keeper at Hobart Town with a salary of 430*l.*, and a deputy with a salary of 280*l.*; and there were only four clerks with these two superior officers. The same remark applied to Barbadoes and other places. He found that in one half of the establishments the store-keeper combined with his duties the duties of barrack-master, and, unless he were informed to the contrary, he did not see why all barrack-masters should not perform the duties of store-keepers. He believed that a considerable saving might be effected under this head without any detriment to the public service, or any insecurity to the stores. The cost of barracks in the colonies appeared most extraordinary. He found by a return lately made to the House, that from the year 1826 to the present year, 1,528,000*l.* had been expended for barracks in the colonies, or, in fifteen or sixteen years, the sum thus expended had averaged 100,000*l.* a-year; and that was independent of the large sum expended for barrack-masters, which, by the present estimate, was 30,000*l.* and independent also of a large expenditure for fortifications and other public works connected with the colonies. When, therefore, he took the annual sums thus paid for the defence of the colonies, and the amount paid for the monopolies in the shape of differential duties, made to favour the colonies, he doubted whether this country would be a loser if it made a present to the colonies of all the merchandise they purchased in the course of a year. He believed that the whole colonial expenditure required serious attention. The government of the United States was said to be the cheapest to the inhabitants in the world, but the Government of Canada was cheaper still to the population, because they saddled the expences of the colony upon this country. He asked why the colonies should not maintain themselves? With respect to the West-India colonies especially, who enjoyed a monopoly here, he said they should be called upon to contribute at least a part of their expenditure, and to relieve the people of this country from being taxed for their government. The hon. and gallant Gentleman had referred to Appendix A. He would be glad of some explanation of the 62,000*l.*, embraced in two grants, for the new barracks in the central and Manchester districts; he could not find any estimate of the probable expenditure.

Captain *Boldero* said, that the hon. Gentleman had alluded to several votes not then under discussion, but he would confine his observations to the present vote. The hon. Gentleman objected to the employment of deputy storekeepers, and he would explain the circumstances of their appointments. There were seventeen deputies, three of whom were in the home service, and fourteen in the colonies. In the year 1821, at the various stations where there were now deputy storekeepers there were two individuals doing duty who bore the appellation of clerk of survey and clerk of check, and it was proposed to abolish both offices. The clerk of check had to attend the muster of the men at the works, to superintend them when at work, and to look carefully over the tools, to see that they were not improperly lost or spoiled. The clerk of survey's duty was to look to all the stores brought in. These two gentlemen caused an expenditure to the public of 7,560*l.*; but, by the alteration effected, there had been a saving of 2,560*l.*, which would have been considerably increased, had it not been necessary to make an extra expenditure of 1,000*l.* at Sydney, Hobart Town, and Sierra Leone. The hon. Gentlemen had also asked whether he could form any idea of the extra expenditure, owing to the disastrous accounts from India; he believed he could not show what that extra expenditure would be. The demands of the Horse Guards were severe and pressing; they must be provided for. He did not yet know the amount, or whether it would be necessary to make a supplementary estimate.

Lord *A. Lennox* did not rise to object to these estimates; they were, in his opinion, framed with judicious care, not only with a view to economy, but also to that which was of more consequence—general efficiency; but he wished to call the attention of his hon. and gallant Friend, and of the gallant General who presided over this department with so much credit to himself, and with so much advantage to the army, to one point. His hon. and gallant Friend was of course aware, that the officers of the army were allowed a certain proportion of fuel, of coals, and of candles, in barracks; but that if they were married men, out of barracks, they did not receive these rations; he did not see why the principle of the rations should not be extended to both. He wished further to be informed whether any or what steps were being taken with reference to the formation of libraries, fives courts, and cricket grounds.

Captain *Boldero* said, that his noble Friend must be aware, that the Board of Ordnance was not responsible in any way for the issuing of the orders by which the fuel was supplied to the army. The warrant by which this done, was signed by her

Majesty, and all that the Board of Ordnance had to do was to obey orders. The object of not extending the operation of the warrant undoubtedly was, that the officers should live near the barracks, and therefore near their men, an object which was deemed to be very desirable to be attained. He would beg to answer the question of the noble Lord, also, by another question, and he begged to ask by what right, or upon what principle of justice, could they refuse that to the soldier which they granted to the officer. Besides, where were they to stop, and to what articles must they limit the issue which was suggested? The subject had been over and over again brought under the consideration of the military authorities of the country, who had invariably declined to deviate from the usual course, on the ground of the great mischief which would be created by doing so. Upon the other point upon which the noble Lord had put a question, he begged to assure the committee, that the Government had not been remiss, but that they availed themselves of every opportunity of providing additional accommodation for the comfort and improvement of the soldiers in every respect.

Sir C. *Napier* would not suffer this vote to pass without once more raising his voice upon a subject to which he had before alluded. He believed that it was impossible that the gunnery department of the navy could be properly conducted unless a naval officer was introduced into the Board of Ordnance, and he begged to point out to the right hon. Baronet opposite, that this was a subject in reference to which the public service ought not to suffer, and on this point the right hon. Baronet, ought not to give way to either private or political friendship.

Major *Vivian* entirely agreed in the observation of his gallant Friend with regard to the importance of the introduction of a naval man in the Board of Ordnance.

Vote agreed to.

On the proposition of the vote of 533,177*l.* for Ordnance works and repairs, for store-keepers' expenses, and for building barracks.

Major *Vivian* rose and said, that he had intended to offer some observations to the House upon a subject which had been before under discussion, in relation to something which had fallen from the noble Lord, the Member for Sunderland, but that he learned that this vote was to be postponed in consequence of the absence of that noble Lord. The same cause prevented his entering into the explanation to which he had referred, and he could not help saying, that although the right hon. Baronet had, no doubt, acted with great courtesy in endeavouring to meet the wishes of the noble Lord, he had not shown the same anxiety for his convenience. He was exceedingly anxious to leave town, which now he should for a time be prevented from doing.

Sir *R. Peel* was exceedingly sorry that in acceding to the wishes of the noble Lord he had put the hon. and gallant Member to inconvenience. It had been agreed that the vote should be postponed upon the request of the noble Lord; but if he had had the slightest notion that such an arrangement would have produced inconvenience to the hon. and gallant Member, it should have come on in its ordinary course: for he felt that he was bound to consult his convenience, rather than that of the noble Lord. He should be most willing to make any arrangement to meet the wishes of the hon. Gentleman.

Major *Vivian* did not attach the slightest blame to the right hon. Baronet, but thought that the noble Lord ought to have made him acquainted with the course he intended to take. He should be prepared on Friday next to enter into an explanation, if the matter could then come on.

Vote postponed.

Upon the vote of 208,743*l.* to defray the expenses of the Ordnance Survey and Civil and Military Contingencies,

Captain *Pechell* said, that he thought that it was right that the House should have a candid statement of the present position of the question of the adoption of the invention of Captain Warner. That was an invention which had attracted a great degree of attention, from the extraordinary results said to be capable of being produced through its agency, and much blame had been attached to the late Government for not adopting it. He wished to know what steps the present Government had taken. The invention, as hon. Members were aware, was of a new species of combustible, by which forts and outworks, whole fleets, nay, even the Rock of Gibraltar, it was said, might be destroyed. It was stated that the right hon. Baronet had been present at an experiment which had been tried with it some time ago, when a boat had been blown to atoms at one explosion. What he wished to know was whether any authorised experiments had been made, and if so, whether any report would be made to this House, or whether any information would be afforded so as to show that Captain Warner had been treated in a manner due to his invention? He would take this opportunity of saying that he thought that it was not the most politic course for the hon. and gallant Gentleman opposite to accompany the introduction of these estimates to the House with a taunt upon the late Ministry. The observation to which he alluded was that in which the hon. Gentleman had spoken of the interference of the noble Lord in the affairs of Spain, and the sending out a great number of muskets from the Tower. The question of the policy of the late Government with regard to Spain had been long since determined upon by the House, and ought not to form the subject of comment at the present time.

Sir *R. Peel* could only repeat the answer which he had given before upon the subject of Captain Warner's invention. It was true, as the hon. Member had stated, that he had been present at an experiment made by Captain Warner, which, so far as it went, had been entirely successful; after which he had had a communication with the late Master-General of the Ordnance, who adopted a course precisely similar to that which he had thought it his duty to take upon his coming into office. That course was to refer the subject to two public responsible officers, who were prepared to conduct the experiments under the direction of Captain Warner, at the public expense. That course had been proposed to Captain Warner upon his coming into office, the officers being respectively of the naval and military service. Captain Warner had declined to accept this offer, unless clogged with a condition to which the Government could not accede. That condition was in reference to the compensation which he was to receive, should his experiments prove successful, and the sum demanded was so enormous, that it was felt impossible to accede to it. That was the present state of the case. As to any charges which might have been made, he knew nothing of them whatever.

Captain *Boldero* could not but take this opportunity of saying that in the observations which he had made upon the subject of the affairs of Spain, he had not intended to offer the slightest offence to the noble Lord the late Secretary for Foreign Affairs. In speaking of the sum of money required on account of the late disaster at the Tower, the noble Lord had asked at what value he placed the building which was destroyed, and he said that it was valueless, because the walls had become bulged by reason of the heavy weight placed on the first floor. He had, however, added that the noble Lord had saved the building from falling by sending away the muskets to Spain, and he had not intended to use this expression in a manner in the smallest degree offensive.

Viscount *Palmerston* would only point out, upon the hon. Gentleman's statement, how very economical the course was which he had taken, for it appeared that his sending away the muskets had saved the building from falling.

Sir *Denham Norreys* begged to ask what progress had been made in the Ordnance survey in Ireland?

Captain *Boldero* said, that the gallant Officer to whom this survey had been intrusted had applied for an extension of time for the publication of the result of his exertions. This application had been granted, and the gallant Officer was now engaged with another, who had been sent to assist him, in arranging his materials. He had no hesitation in saying that the work, when published, would reflect the highest credit on its author, and would be most useful to the public.

Viscount *Ingestre* said, that as his name had been connected with the case of Captain Warner, he wished to say a few words on the subject. He had accidentally become acquainted with Captain Warner's invention; he had looked into it, and had thought at the time it would be of incalculable advantage to the country. He was still of the same opinion, though by some he might be ridiculed, and called credulous. His firm opinion was, that the invention was of the utmost importance to this country, and that any Government that allowed it to leave this country would incur a heavy responsibility, of which, some day or other, it would feel the effects. He had communicated the fact of the invention to the noble Lord at the head of the late Government, desiring him to see the matter looked into—to this he never received any decisive answer, but had been referred from one person to another without any practical result whatever. When the present Government came into office, he had waited upon his right hon. Friend the First Lord of the Treasury, and called his attention to the case. His right hon. Friend then said he would look into it, and his right hon. Friend had just now stated to the committee the result of the course it had been thought proper to pursue. He was free to admit the course followed—that of submitting the matter to the heads of the departments most affected by the discovery and invention—was the fitting and becoming course. He understood a commission composed of highly distinguished officers had been appointed to inquire into and examine the invention, but he thought some degree of injustice had been practised towards Captain Warner in the appointment on the commission of a gallant Officer who could not have had sufficient time fully to go into the merits, inasmuch as he was also appointed to the command in the Mediterranean, and was expected to sail in a very short time. Now, he understood the state of the case at present to be this:—Captain Warner declared that he had made several experiments before Sir Richard Keates and Sir Thomas Hardy, which were by them reported to be successful. Captain Warner stated further, that he could by his invention produce results which certainly appeared to be most extraordinary. He added that he had been a long time endeavouring to get a fair hearing—that his anxious wish was, to secure to his native country an invention which, if it got into the possession of any other power, would be productive of sinister and most disastrous results. He said, "What I wish to have before I proceed with my experiments is a guarantee from the Government or from Parliament, that if I succeed in what at present appear improbable results, my discoveries may not be thrown aside, or that I may be told, 'You have shown us how to do it, and we can now manage for ourselves.'" He did not stipulate for any precise or particular sum; but desired, if he satisfied the commissioners, to be appointed by theGovernment, as to the results he said he could perform (and which appeared certainly to be supernatural), that he should be guaranteed that the Government would not turn round and make it a matter of bargain and sale as to what he was, and what he was not, to have.

Major *Vivian* said, that the course pursued by the present Government was the same as that which had been followed by the late Administration. He knew that Lord Melbourne, immediately on learning from the noble Lord opposite (Viscount Ingestre) that such an invention had been made, referred the matter to the Boards of Admiralty and of Ordnance, and his noble relative then at the head of the Ordnance suggested the appointment of three scientific officers of artillery and engineers, who should examine the invention under a pledge of secresy. Now, he could not think that any officer of proper spirit, and with a love of country, who had made such a discovery as this was said to be, would ever make it a subject matter of barter for pounds, shillings, and pence. If the noble Lord opposite had looked over the invention, he possessed a great advantage over the Government and the House. It was true that Captain Warner had stated he could perform what almost appeared miracles; that, for instance, he could by his invention destroy the Rock of Gibraltar; and hence it was that his noble relative thought it desirable, that an inquiry should take place—but Captain Warner refused offers of the fairest nature, and for that reason, and that reason alone, the investigation was put a stop to. Let Captain Warner meet such an inquiry on fair terms, and then throw himself upon the generosity of his country for his reward.

Viscount *Ingestre* observed, that when the hon. and gallant Member talked of Captain Warner throwing himself on the generosity of the country, he must remind the hon. and gallant Member that Captain Warner had spent his fortune and a considerable portion of his life in making this invention. He had never, in the long run, objected to show the composition of his invention, but he said, and said justly, "If I let out before any board of commissioners the composition of the material by which I can accomplish the results stated, knowing how boards are composed, I am well aware that, give them but an indication of the secret, and they well know what is to follow." This was not fair to the individual.

Colonel *Fox* inquired if the noble Lord could state the terms on which Captain

Warner would show his invention, and the sum he wanted for it if he produced the effects stated.

Viscount *Ingestre* replied, that he was not authorized to say anything on that subject. He had studiously avoided having anything to say to Captain Warner as to the price he asked for his invention, conceiving that to be a matter entirely between that gentleman and the Government.

Colonel *Peel* said, he had read all that had passed on the subject, and knew all that the late Board of Ordnance had done, with that he entirely concurred, and at the present period it was impossible to come to any other conclusion.

Captain *Pechell* said, the noble Lord the Member for Staffordshire had taken an honest and consistent part in saying he considered that the present Government was quite as blameable as the last. He thought it was quite clear that her Majesty's present Ministers had done no more in the matter than their predecessors, and therefore those opposite who had brought charges against Lord Melbourne and the late Board of Ordnance must now admit that those authorities had taken a right and proper course.

Mr. *Brotherton* thought both the late and the present Government had used a wise discretion in declining to reward this gentleman for his infernal invention. It appeared to him perfectly horrible for any Government to pay a reward for an invention which was capable, it was said, of destroying a whole nation at once. He hoped the British Parliament would not consent to give any sum of money whatever for such a purpose.

Viscount *Ingestre* in explanation, said, he had not admitted that the present and late Government were equally blameable. What he had said was, that after his communication to Lord Melbourne, fifteen or sixteen months elapsed before anything was done in the matter, and that when he called upon his right hon. Friend at the head of the present Administration the matter was taken up at once.

Mr. *Williams* said, in the present vote he saw a sum of 18,126*l.* for the purchase of lands in Bermuda. He begged to inquire for what purpose the purchase was made?

Captain *Boldero* replied, that the purchase was the act of the late Government, and had been made in order to erect defensive barracks at a short distance from the shore.

Vote agreed to with other votes for the service of the ordnance and the navy.

29,375*l.* to defray the charges of medicine and medical stores.

44,325*l.* for the naval miscellaneous service.

497,957*l.* for military pensions and allowances.

226,100*l.* for freight of ships and transports and other charges.

95,794*l.* for expenses of conveying convicts to New South Wales and Van Diemen's Land.

407,549*l.* to defray the charges of the packet service. Resolutions to be reported —House resumed.

COLONIAL PASSENGERS.] Lord Stanley moved the Order of the Day for the further consideration of the report on the Colonial Passengers' Bill,

Mr. *Hawes* expressed a hope that a measure of so much importance would not be pressed in a House so thinly attended.

Lord *Stanley* said, the objection to this measure was confined to one particular clause, on which it would be equally competent for the hon. Member to raise a discussion when the bill was passing through a future stage. As he had given notice last Friday that this measure would be proceeded with to-night immediately after the estimates were disposed of, he could not think of again deferring it.

Mr. *Hawes* would in that case give notice of his intention to move, "that the objectionable clause be struck out" on the third reading.

Mr. *Wakley* must enter a complaint regarding the order in which the business of the evening was taken. No one had any opportunity of knowing what bill was to be dealt with next, and really, when so many important questions were to be considered, it was quite necessary that some little notice should be given. The right hon. Baronet at the head of the Government had promised to obviate this evil, but he had done nothing towards the fulfilment of his pledge. The last Government had regularly laid a paper on the Table containing a list of the bills in the order in which they were to be taken, and the practice had been found to be most convenient. With respect to the measure before the House, he hoped that as the bill otherwise met with approbation, the noble Lord the Secretary for the Colonies would withdraw the objectionable clause respecting the Hill Coolies. If a measure such as that embodied in the clause was to be introduced at all, it ought not to be embodied in a bill of this sort, but should be made a matter of separate legislation.

Lord *Stanley* said, the importance of the clause in question appeared to be overrated. It gave no new powers whatever. Its object was simply to give the Governor-general, by an act of British legislation, an authority which he already possessed by an act of colonial legislation, and of consequence to make that which was even now an offence against Indian law an offence against the law of Great Britain.

Sir *R. Peel* said, that with respect to the observations of the hon. Member for Finsbury, he had every wish to give full notice of the order in which business would be proceeded with. He thought, however, it had been well understood that to night the ordnance and navy estimates would be first taken, and that the Colonial Passengers' Bill would be dealt with immediately after. Having fixed these three measures he thought he had cut out enough work for one night's legislation, especially as his experience of late had shown that they were not usually so rapid in bringing their discussions to a close. He had, however, been agreeably disappointed to-night, and in future he would take care that they should have more orders provided for their consideration, in the hope that they would follow up so good a beginning.

Report reconsidered and agreed to with amendments. Bill to be read a third time.

PENTONVILLE PRISON.] Sir *J. Graham*, in moving the third reading of the Pentonville Prison Bill, remarked, that the prison was now completed, and that her Majesty's Government thought it desirable to bring it into operation on the 1st of July next. It would be necessary in the miscellaneous estimates to move a vote providing for the payment of the salaries to the officers attached to the establishment, and as he understood the hon. Member for Bath (Mr. Roebuck) wished to express some opinion on the separate system, he would suggest that it would be convenient if any discussion on that point were taken on that occasion.

Mr. *Roebuck* said, that as far as he was concerned, he could see no objection to the right hon. Baronet's proposal. He certainly wished to express some opinions which he entertained on secondary punishments generally, and as an opportunity for that purpose would be afforded, he should offer no impediment to making progress with the Bill.

Bill read a third time and passed.

ECCLESIASTICAL CORPORATIONS LEASING BILL.] Sir *James Graham* stated that in proposing they should proceed in committee with the Ecclesiastical Corporations Leasing Bill, he had postponed the consideration of it, at the request of the hon. Member for the county of Durham, and also at the request of the hon. Member for Northampton. It had been intimated to him by the hon. Member for the county of Durham, that all doubts as to the nature of the bill had been removed from his mind; and he had also received a similar intimation from the hon. Member for Northampton. He wished to state to the House that this measure was an important one; for it proposed to give to ecclesiastical corporations, aggregate and sole, a power of granting leases for a longer period than hitherto they had been permitted by law. It would enable them to grant leases for ninety-nine years for corporation purposes, and in order that they might increase the value of the property. He thought it right thus frankly and at once to state the purport of this measure; because he was aware that it involved considerations that had been already much agitated in that House. Some years ago it had been proposed to deal with this very property, which it was now intended to make the subject of legislation. It had been the proposition of the late Government that they should take advantage of the increased value that might be derived from a more suitable management of this property, to apply the surplus that might arise from the improvement of the property to a particular purpose—the payment of Church-rates. It was then proposed to apply the sums thus raised in liquidation of that demand on the public. That proposition had been negatived in the last Parliament, although, by the measure then proposed, it was conceived that there must be a considerable increase to the value of Church property. When property was held by a corporation aggregate; there had been an appropriation made by Parliament. With respect to the property of deans and chapters, whenever there was a surplus in their funds, there was to be an appropriation of that surplus to the augmentation of small livings. Prospectively there had been an appropriation by Parliament of that surplus, and the present measure so appropriated it. Whatever increase might arise to the funds of a corporation aggregate, the Members of that corporation aggregate would, as individuals, not derive any benefit from it. The measure was not the same as to corporations sole. It gave them the power of leasing also for ninety-nine years, but then it was not proposed to deprive them of their individual interest in that increase, as it would be generally found that they went to the augmentation of small vicarages and insufficient livings in large towns. He thought it to be his duty thus shortly to state the nature of the measure he was about to propose. He did not think, that any objection would be taken as to the details, and if hon. Members objected to the principle, they would have two further stages on which they might contest it—both upon the report, and on the third reading. If any Gentleman did not think, that they should go into a bill of such importance, in so thin a House, he would not press the motion. He concluded his speech, which could be but very indistinctly heard in the gallery, by moving that the House resolve itself into a committee.

House in committee.

On the first clause,

Mr. *Hawes* must say, that this bill had taken him very much by surprise. It was nothing more nor less than raising the appropriation principle in another shape. The late Government had proposed to grant the power of leasing Church property, and thereby of increasing the value of that property, for the purpose of relieving the people from the payment of Church-rates. All that was done in that respect was following the example that had been given in the Irish Church Temporalities Act, brought in by the noble Lord the Secretary for the Colonies. As well as he recollected, it would be found that by that act power was given of converting short leases into leases of perpetuity, and the surplus went to the consolidated fund, to be applied to certain purposes. The increased value derived from the Church property was, in the Irish Act, applied to the liquidation of the church cess. If he understood this measure aright, the right hon. Baronet would give an increased value to Church property; he proposed that where there was now only power to give short leases, there should be a power to give long leases, and that the surplus should be applied to the augmentation of small livings. It was, then, to be understood, that any expectations that might have been entertained of there being a fund which might have aided in relieving the people from the payment of Church-rates, that the right hon. Baronet would put an end to such expectations—that the right hon. Baronet would extinguish all such hopes—that there was to be no advantage derived from this large fund, which the late Government intended to apply to the diminution of Church-rates. The right hon. Baronet determined to apply this fund to no such purpose—he only asked for it, in order that it might be the means of augmenting the small livings. In the present state of the House it would be idle in him to oppose the proposition of the Government, if they were determined to persevere in it. Indeed, he might say the same of his opposition to the measure in any state of the House; but this he must say, that he was quite sure that what was now about to be done by the Government would excite a very great sensation out of doors. A right hon. Baronet, who was not then present, had given notice of his intention to move for a grant of public money to extend church accommodation in this country. Thus then there was at the same time the probability of a large grant of the public money for Church purposes, but there was to be also this larger sum of money, now about to be created by the dealing with Church property, to be applied to the same object. It had been laid down by the noble Lord opposite that the increased value of such property created by act of Parliament was a thing with which the Sate might deal. Let them, he said, distinctly understand that the increased value of Church property which they had created was not to be so treated that it was to be applied solely to Church purposes, even while there might be called for an additional grant of public money for Church Extension. The right hon. Baronet might conceive it wise, proper, and consistent with Conservative principles so to act with regard to the Church;

but he ventured to tell the right hon. Baronet that it would create very great discontent out of doors. The right hon. Baronet had stated very frankly what were his objects. But for the right hon. Baronet doing so, they might not so soon have known what this was done for; and now, if the House did not think fit to esist the proposition, it certainly was not the fault of the right hon. Baronet, for he had plainly stated his intentions. The public now, however, must be fairly and fully informed on the matter. He, on behalf of a very large class of persons—on behalf of those who differed from the Church, protested altogether against this mode of legislation. The dignity of the Church did not consist in its riches, nor was its usefulness increased by the augmentation of its wealth. The Church had enough of wealth at present, nor could the present proceeding procure for it more support, nor greater respect. On behalf of the dissenting body he protested against this appropriation of Church property. It could not be, he was sure, conducive to the interests of the Church, nor tend to promote peace and harmony in the country. He felt it to be his duty to protest against the principle contained in this bill.

Sir *James Graham* observed that the details of the measure could not be objected to. There could be no question that the property ought to be so managed as to be rendered as available as possible. This principle being agreed upon, then the question was narrowed as to whether there might not be a better appropriation of the additional sum raised from the extended powers of leasing proposed to be given. He did not feel that they could be sanctioned in the appropriation of that sum to any other than ecclesiastical purposes. Stating this as the principle by which he was prepared to abide, he did not at that moment wish to follow the hon. Gentleman into the question of Church-rates in Ireland, which, he conceived, stood on a perfectly distinct footing from Church-rates in England.

Mr. *Wakley* was sure that the public would not object to an increase in the value of Church property. The public regarded Church property as their own property; but then they did not approve of the manner in which it was appropriated. He thought that the right hon. Baronet had explained that the individual members of a corporation aggregate were to derive no benefit from the increase in the value of the property; but then, when the right hon. Baronet came to speak of corporations sole, he stopped short in his explanation. Was the incumbent in the latter case to obtain the full benefit arising from the increased value? [Sir *J. Graham:* Yes.] Why then, was there a different principle adopted in treating corporations aggregate and corporations sole?

Sir *J. Graham* replied that, with respect to the corporations aggregate, there had been an appropriation prospectively. The amount to be derived by each individual was limited, and any surplus of the fund, after answering these demands, was to be applied to certain uses— the augmentation of small livings. With respect to corporations sole, then, no prospective appropriation had taken place. It was provided, whoever should be the life incumbent, the augmentation should be for the value of that incumbent, and for his exclusive benefit. The bill did not make any alteration in the condition of the incumbent. As the corporation aggregate was to have the power of making leases for ninety-nine years, the same power was to be given to the corporation soles; but then the leases must be made with the consent of the patron and the ordinary.

Mr. *Hawes:* It appeared then that if a beneficed clergyman held more livings than one, he was to have the power of granting leases, which would increase the benefit of the living for himself. [Sir *J. Graham*: And for his successor.] But then the dean and chapter were to have the power of leasing property, and when they increased its value, the surplus was required to be paid over to the ecclesiastical commissioners. Why, he asked, should these incumbents, many of whom were pluralists, and had a very considerable interest in the livings they possessed—not have to pay over the surplus to the ecclesiastical commissioners? Why should they not do this in all cases where the value of the incumbency exceeded 500*l.* a year? He protested altogether against this appropriation of the surplus. It ought to go in a totally different direction. He did not see why they were to depart from the principle laid down by the noble Lord opposite—that if a new and increased value were given to the property, it should go to the State, and not to the Church. The increased value of the property being formed by the Legislature, it belonged to the public, and the Legislature ought to regulate its application to public purposes. He should be glad to hear the noble Lord opposite on this point. Why, he asked, was a pluralist, with 2,000*l.* a year, when his property was greatly augmented by this measure, not to pay over this surplus for the augmentation of small livings? Why were individual pluralists with large incomes not to do this, when it was required of corporations aggregate? Why was the distinction drawn?

Sir *J. Graham* stated, that from the best information he had been able to obtain, he believed that the property would be found in large towns, and the property was that of vicars, generally ill-endowed, and the incomes attached to them were small. This he believed to be the case; and not that of rich pluralists, which he believed was contrary to the fact. The principle on which he acted was, that these benefices were the property of the incumbents. He denied that there was any principle in the law of England by which there was any maximum fixed beyond which property might be enjoyed. Any such maximum would be a novelty in the law of England. It was a novelty to the introduction of which he should most decidedly object. The surplus was to be applied to church uses strictly. Here, it would be found that the augmentation would go to those who were inadequately endowed in large cities. As to an appropriation by the State from any increase in the value of Church property derived from new and good leasing, would be, in his opinion, an appropriation that would be unjust and highly inexpedient.

Mr. *Roebuck* did not think that the right hon. Baronet went straight to the point in both cases. The corporation aggregate was composed of various persons. There then was a general property to be dealt with by the bill. Then where a surplus was contemplated by the act of Parliament, that surplus was dealt with by the State. By the act of Parliament it was to be applied to a worthy purpose. He did not quarrel now with that, but rather with the argument of the right hon. Baronet. Having then thus dealt with the corporation aggregate, how did they deal with the corporation sole? They made the three or four persons contribute; but then when it was one person, that had a certain benefice or property, the Parliament dealt with that property. They increased the value of that property. And here was the divergency in the argument of the right hon. Baronet, who said that he did not admit the principle that the State had a right to interfere with those beneficed clergymen, for though it might increase the value, yet it could not divert the present benefices from the clergymen. How, then, did it do so with the corporations aggregate? In the one case it was said to be sacred property—that it could not be diverted from the purpose for which it was originally given; and then, in another case, it was said that there might be a diversion from the original purpose. He did not understand the argument thus used. He was prepared to deal himself with this in a very off-hand manner; but he was not now called upon to do so. All he had now to do with was the argument. It laid down one principle when dealing with corporations aggregate, and it laid down another principle when dealing with corporations sole. Let it be supposed that there was a piece of ground belonging to an incumbent in a large town, which, by leasing for ninety-nine years, he might increase in value so much, that it would be worth 2,000*l.* a year or 5,000*l.* a year. Was, he asked, the right hon. Baronet prepared to stand by his principle boldly, that he would not take care that the surplus should be given for the purpose of a better religious education, for the purpose of more fully accomplishing that for which the estate had been originally given? Was that property not to be appropriated for the benefit of the Church—for the advantage of the persons inhabiting the parish? Was it to be that when the income of the incumbent was above a certain sum, that then the State was not prepared to take the property and apply it (if they would only to ecclesiastical purposes)? and were they to enhance its value without increasing the spiritual benefits that might be derived from it, and for which it had been originally given?

Sir *J. Graham* considered that nothing could be more fair or candid than the manner in which the hon. and learned Gentleman placed his objections. He was not now discussing the propriety of the application of the surplus under that bill. That had been disposed of by Parliament; but he conceived that it would be contrary to polity and justice, in dealing with ecclesiastical property, if they applied it to any other than ecclesiastical purposes. The bill did not introduce any new appropriation of property belonging to corporations aggregate, or with respect to the property of corporations sole. Now, referring to all the circumstances of that property, he did not think that any new application was expedient. He believed the fact to be, that the property held by the vicars in towns was small in amount. These benefices were generally ill-endowed, and now any increase to the value was one that was required; and nothing, he believed, could be more just than such an augmentation. He did not deny the right to deal with these matters for the benefit of individual members of the Church; but it was not just nor expedient that they should appropriate the income to other than ecclesiastical purposes.

Lord *J. Manners* was of opinion that in many cases the grounds on which Church property was held inviolable were of a far higher character than those which affected lay property. He did not wish to enter into the discussion of the principle of the measure, but he must say, that he thought that that principle was just and correct.

Mr. *Hawes* said, that with reference to what he had stated as to the arguments brought forward, and the principles maintained upon the subject of ecclesiastical property by the noble Lord the Secretary for the Colonies, he would refer to the debates which took place upon the Irish Church Temporalities Bill, when it would be found that the doctrine which he had stated was that maintained by the noble Lord.

Mr. *Wynn Ellis* thought it rather extraordinary that a different principle should be proposed to be applied to the property of corporations aggregate, from that to be applied to the property of corporations sole. If the measure before the House should pass into a law, corporations aggregate would be very ill-used; for it was proposed to take from them the fruits of any improvements in the value of their property, but to leave the fruits of such improvements in the hands of corporations sole. He thought that the measure would produce an injurious effect.

Mr. *Brotherton* was sure that the object of the bill would excite much discontent through the country. It seemed to propose, by a general measure, to effect what had hitherto been accomplished by local and partial measures. But there was a wide distinction between corporations aggregate and corporations sole in this respect. With respect to the former there might be good security, that increased value of Church property would be property appropriated, but he was not so sure that the security was so perfect with reference to corporations sole, that an increase in the value of their property would be applied for the benefit of the Church. There had been many instances in which special acts of Parliament, enabling individuals to grant leases, had been turned to the advantage of themselves and their families, for the benefit, not of the Church, but of those out of it; and the bill at present before the House would, he believed, have the effect of enabling persons to alienate Church property to their own private advantage. He thought that if an act was passed, enabling these individuals to grant long leases, that the House should take care that good security should be given that the benefit to emerge should be for the Church, and not for individuals not connected with it.

Mr. *Shaw* said, that with reference to the statements of the hon. Member for Lambeth as to the principles held upon the subject by the noble Lord the Secretary for the Colonies, while he admitted that such principles had been once held by the noble Lord, he also maintained the noble Lord had abandoned the argument, and the clause affected by it had been struck out of the Irish Church Temporalities Bill with the consent of the noble Lord. It was not under such circumstances fair to quote the conduct of the noble Lord as a precedent.

Mr. *Hawes* was astonished at the defects in the recollection of the hon. Gentleman who had just sat down, because he had been in the House at the time when the clause in question had been discussed, and he had used very strong language with reference to it, terming it a "spoliation" of the Church. Now he would beg leave to correct the hon. Gentleman. The noble Lord did not voluntarily give up the clause. The bill went up to the House of Lords, and the clause was there struck out; it then came down to this House, and the noble Lord vindicated the principle of the clause. He believed that he was not mistaken in that statement—at any rate, he was sure that the noble Lord would not say, that at the time in question he did voluntarily give up the clause, because no one more stoutly defended its principle, and that principle was, to give to the Irish Church power to grant leases to perpetuity, instead of for lives, thereby increasing the value of Church property, which increased value was to be paid into the consolidated fund, and would therefore be under the control of Parliament.

Lord *Stanley* had not before thought it worth while to enter into a discussion upon events which had taken place eight or nine years ago, but, according to his recollection, the following was what passed upon the occasion alluded to. He would not be quite positive as to whether the withdrawal of the clause took place in the House of Lords or Commons, but he believed that the hon. Member for Lambeth was mistaken in supposing that the bill had passed through the House of Commons in the shape in which he maintained that it had so passed, but he would admit, that on the second reading of the bill, he had contended that increased value given to livings was property with which the State should be allowed to deal. The clause in question was opposed by some hon. Members, on the ground that its effect would be the alienation of Church property from Church purposes; and it was supported by other hon. Members who generally differed from him, because they believed it to be the first step towards the appropriation of ecclesiastical property. Finding, therefore, that the construction put upon the clause by hon. Members on both sides of the House was, that its effect would be to alienate from Church purposes Church property, although that was a construction which he himself could not admit, he stated that he was ready to withdraw the clause, and he would do so rather than it should be thought that he for a moment should have sanctioned the doctrine, that Church property should be applied to other than Church purposes. It was, as he believed, on going into committee, that he had thus bowed to the sense of the House.

Mr. *Wakley* said, that although the right hon. Baronet, the Secretary for the Home Department, had stated, that with reference to corporations aggregate, Parliament had laid down a precedent, and had dealt with their property, yet with regard to corporations sole nothing of the kind had ever taken place. The right hon. Baronet had said, that his measure contemplated no new principle. Now, this was a mistake. It was proposed to appropriate to the sole incumbent all the benefits all the advantages, all the value of improvement in Church property. That was a new principle. The right hon. Baronet had also stated, that he believed that the increase in the value of property would be applied chiefly to augment the incomes of vicars in large towns, who were often badly paid. Now that was all very well. Certainly, pay these gentlemen according to their labours—according to their station in society—pay them equal to their deserts; but he believed that in many of these cases the property would be applied to individual, and not, as it should be, to public purposes. Such was a principle which the House ought never to sanction. The House should have the interests of congregations, rather than of individuals, for its object. He trusted that the House would not proceed with the bill that night; they should have another discussion in a fuller House, for he believed that the measure would be productive of great injustice, and would occasion general dissatisfaction.

Sir *James Graham* had not conceived that the bill would have experienced such opposition, especially as it was necessary for the interests of the public that as much land as possible should be let for building. He could have no doubt but that the land in question should be let; and if so let, the lessor must be either the corporation aggregate or sole as the case might be. In the present instance the case narrowed itself to a corporation sole, and he conceived that any fresh proposition in the case was unnecessary. Those who thought otherwise would have the opportunity of introducing such a proposition, putting corporations aggregate and sole on the same footing, at a subsequent stage of the proceedings. He hoped that at present the House would allow the bill to pass through committee.

Bill went through committee.

House resumed. Report to be received.

MERCHANT AND FACTOR.] On the Order of the Day, for the House going into Committee upon the Merchants and Factors Bill,

Mr. *Gladstone* rose to state the object of the measure. It was a bill not now, so far as regarded its substance, introduced for the first time. It had been introduced in the House of Lords in the course of last Session, and had only been prevented from passing into a law then by the abrupt termination of the Session. The bill was founded upon the representations of all the principal mercantile men in every great branch of our foreign trade and commerce in London and in Liverpool; and it had, as he believed, the universal assent of the commercial world. Its purpose was to give full effect to a series of changes which had been already introduced into the law, with the object of meeting the growing wants of our commerce. The groundwork of this bill was the position, that it was highly expedient, for the extension of commerce, to give every facility and security to the system of advances on goods, which now attended almost every step in mercantile transactions, and which might be said to form the instrument for carrying on the trade and business of the country. This bill, therefore, proposed, that all parties dealing with agents having the possession of goods shall be enabled to deal with them as if they were principals, and that with regard to *bonâ fide* transactions affecting those goods they shall be protected against the principals. This principle had been already partly affirmed in the 6th George 4th, making good the sales, and (under certain circumstances) the pledges by agents of goods as against the principals. There were, however, some limitations under that act to the principle which it laid down; the first was, that as regarded pledges, it did not apply in cases where the party dealing with the agent knew, or had sufficient ground for knowing, that he was only an agent. That was an important limitation, and it was proposed to remove it. It was a very doubtful point, and gave rise to great difficulties whether the party advancing the money, had or had not notice of the agency, and it was exceedingly desirable to get rid of what gave rise to much litigation. Owing to this limitation, and the other provisions of the existing law, the party making an advance to an agent really obtained no sustainable lien on the goods beyond what the agent himself might happen to have as against his principal. It was deemed exceedingly desirable to alter the law in this respect, because the whole security of the lender was made dependent on a matter of which there was hardly a possibility he could be cognisant. This rule proceeded on the supposition, that the lender was acquainted with what respected solely the relations which obtained between agent and principal, and depending on matters of account, and the balance-sheet which might be struck from time to time; so that the whole law was thrown into uncertainty when such a restriction was preserved. Well, then, lastly, the present law does not allow an advance to be made on the fact of possession of the goods, but only on possession of the documents relating to them. When the bills of lading are in the hands of an agent, it is in the power of the agent to take an advance on those bills, and the party so making it, has his remedy against the principal; but the same facility was not given when the bare possession of the goods by the agent was the ground of the proceeding. It was now proposed, therefore, that the agent's possession of the goods should be attended with the same incidents as the agent's possession of the documents. He believed, that in what he was proposing, he was asking them to assimilate our law to that which prevailed in every other country, and, furthermore, that they would be only doing what was reasonable and just, in saying that the party applied to for an advance on certain goods should be protected, if he made that advance *bonâ fide* to persons who had the possession of them. It was obvious, that the general effect of this bill would be to throw on the owner of the goods the whole responsibility with respect to the choice of agents; and he should certainly contend, that it was more just to make the owner responsible for the choice of his agent and for his acts, than those who came into contact with that agent in the open market, in the course of his commercial dealings. He could not foresee any objection to the changes he proposed, except, perhaps, that they might be unfavourable to the foreign consignor of goods, as making him dependent on the honesty of his agent in this country. He did not think, that objection was well founded. He was persuaded, on the contrary, that this bill would prove exceedingly favourable to the foreign consignor, because, in point of fact, nothing was so conducive to his interest as to give the utmost possible extension consistent with prudence and equity, to the system of advances on goods; for it was by means of these, that he got a quick return for his goods, and that his goods could be kept back when the price was low, and the market happened to be glutted.

Mr. *Wynn Ellis*: As this bill threw a serious responsibility on the consignor, he ought, in his opinion, to have this security—that the advance made on goods to the agent should be a payment in money, and not an acceptance which might never be honoured when at maturity.

Mr. *Gladstone* thought, that quite a different question, not touched by this bill.

Mr. *Roebuck*, with every respect for the right hon. Gentleman, thought that a bill strictly legal should not be introduced in the absence of the law officers. He agreed with the right hon. Gentleman, however, that this bill did not touch the question raised by the hon. Gentleman (Mr. Ellis).

Bill went through committee and was reported.

Bribery at Elections.] Mr. *Roebuck* moved the first reading of a bill which had come down from the House of Lords. It was entitled,

"An act for further inquiry into bribery at elections of Members to serve in Parliament."

In moving that it be read a first time, he should take that opportunity of saying that he had two strings to his bow, and should go on with the bill of which he himself had given notice, although its object might, he had little doubt, be attained by adding one or two words to the bill then before the House.

Bill read a first time.

Commutation of Tithes.] Sir *James Graham*, in moving for leave to bring in a bill on this subject, of which he had given notice, said his object was to continue the commission for the adjustment of tithes, and to make certain alterations in the present law. The committee was in this position, that not more than one-half of their labour was accomplished. There still remained more than half of the parishes of England to be brought within the provisions of the act. He proposed, then, that the commission be continued for five years longer. He meant to propose no alteration of the principles of the present law respecting owners or payers. The alterations he meant to introduce were not very material. They related to the concurrent jurisdiction exercised by the courts of equity, and some conflicting authorities as to costs. The remedy he proposed was embodied in the report of the commissioners, to whose suggestions it was his object to give effect.

Leave given.

Bill brought in and read a first time.

Spirits (Ireland).] The *Chancellor of the Exchequer* moved for a committee to inquire into the effect upon the trade in spirits in Ireland of the repeal of the malt duty drawback in that part of the United Kingdom.

Mr. *Redington* said it was most extraordinary that the Government should make a proposition regarding Irish spirits part of their budget, and then refer it to a select committee.

Motion agreed to.

House adjourned.

HOUSE OF LORDS,

Monday, May 23, 1842.

Minutes.] Bills. *Public.*—$1^{a.}$ Pentonville Prison; Fines and Recoveries (Wales and Cheshire); Australia and New Zealand; Excise Duties Compounds.

Private.—$1^{a.}$ Paterson's Estate; Cwm Celyn and Blaina Iron Company; Kingstown Mariners Church; Slug Roads; Hawke's Divorce.

$2^{a.}$ Greenock Harbours.

$3^{a.}$ and passed:—Gair's Naturalization.

Petitions Presented. By the Duke of Richmond, from the Vale of Alford, against the Importation of Cattle and Meat.—From the Ministers, Elders, and others of Bellasis, that Marriages solemnized between Members of the Church of England and Presbyterians by a Presbyterian or Dissenting Minister may be considered Valid.—By the Duke of Argyle, from the Synod of Dumfries, for the Repeal of the Laws of Church Patronage.—By Lord Brougham, from the Guardians of Berwick-upon-Tweed Union, for the Amendment of the Bastardy Clause of the New Poor-law.—From Asheaton, and Inverossa, for the Encouragement of Schools in connexion with the Church Education Society (Ireland).—By Lord Brougham, from the heads of the Incorporated Trades of Edinburgh, for a Tax upon the Succession of Heritable Property, and against the Income-tax; from the Mechanics Institutions of London, and Stourbridge, for Exemption from Taxes and Rates; and from the Roman Catholics of Bath, for a better Religious Instruction to Catholics in the Army and Navy.—By the Duke of Buccleugh, from the Presbytery of Caithness, and the Synod of Dumfries, for the Better Observance of the Sabbath.—From the Glasgow Young Men's Free Trade Association, for the Repeal of the Corn and Provision Laws.—From R. Waller, against the introduction of Foreign Labourers into the West India Islands.

The Tariff.] The Duke of *Richmond* in presenting a petition from owners and occupiers of land in the Vale of Alford, in the county of Aberdeen, against certain parts of the tariff, said that circumstances had prevented him from attending for many weeks past, and from presenting petitions which had been intrusted to him. The petition which he had now to lay on their Lordships' Table was on a subject of considerable importance, and on which a very strong feeling existed in the country. He himself did not participate to any great extent in the alarm which prevailed on the subject; but he could not but regard with regret so sudden a change as was proposed in the duties on some articles of foreign produce—a change from high to almost nominal duties. The petitioners amongst other things, complained of the introduction of live cattle at a rate of duty much lower than that on salted provisions, which would in time so compete with the home-grower as to enable our navy and commercial marine to be victualled with foreign provisions salted here. He would not enter into the discussion of this subject at present; but he felt it right to say thus much, as he might not have another opportunity of doing so before the bill founded on the tariff was brought into the other House.

Lord *Brougham* regretted that his noble Friend the noble Duke did not wait till his noble Friend the President of the Board of Trade was present. In his absence it would be better not to go into the subject now.

The *Lord Chancellor* said, that if the noble Duke had given notice of his intention to bring forward the subject on the presentation of a petition, an opportunity would be given for discussing it; but, as it was, ample opportunity would be given for discussing the subject hereafter.

The Duke of *Richmond* did not think it necessary that any noble Lord should give notice of his intention to make any remarks on the presentation of a petition. In that respect their Lordships had advantages not enjoyed in the other House, where the party presenting a petition was obliged to confine himself to a mere detail of the heads of its statement and prayer.

Petition laid on the Table.

RAILWAY TRAVELLING.] Lord *Campbell* was anxious to call the attention of his noble and learned Friend on the Woolsack to a subject of very great importance to the public. Their Lordships were well aware of the late frightful railway accident near Paris, which was attended with an immense loss of life. Much of that loss had, it was said, been occasioned by the fact that all the carriages in the train were locked, so that none of the passengers could get out. Since then several regulations had been promulgated on the subject by the French Government, and, amongst others, one which prevented the carriages from being locked. He wished to know from his noble and learned Friend whether any similar regulations was intended by the Government.

The *Lord Chancellor* said, that in the absence of his noble Friend the President of the Board of Trade, he would give his noble and learned Friend the only answer in his power. He was not aware of the intention of Government to bring in any measure on the subject, but he would refer his noble and learned Friend to the noble Earl the President of the Board of Trade. He would not refer to the late melancholy accident near Paris, but he would say that he himself had been locked up for some time that morning in a railway carriage, and he was not conscious of any inconvenience from it.

House adjourned.

HOUSE OF COMMONS,

Tuesday, May 23, 1842.

MINUTES.] NEW MEMBERS.—Sir Stephen Richard Glynne, Bart., for Flint County; Lord Alfred Hamer, for Brighton.

BILLS. *Public.*—1°· Witnesses Indemnity.
Reported.—Incumbents Leasing (No. 2).
3°· and passed:—Roasted Malt.
Private.—2°· Church Stutton and Longden Roads.
Reported.—Liverpool Improvement; Bruntisland and Granton Pier, Ferry, and Road; Faversham Navigation; Licensed Lunatic Asylums.
3°· and passed:—Kingstown Mariners Church; Slug Road; Cwm Celyn and Blaina Iron Company.

PETITIONS PRESENTED. By Colonel Conolly, from the Society for the Protection of Fisheries, against the Fisheries (Ireland) Bill.—By Mr. Brodie, and Mr. Halford, from Salisbury, and Leicester, against the Reduction of the Duty on Foreign Leather, and Boots and Shoes.—By Mr. Christopher, from Waddington, against any further Grant to Maynooth College.—By Mr. Williams, Mr. Berkeley, and Mr. H. Hinde, from Coventry, Newcastle-upon-Tyne, and Bristol, against the Reduction of the Duty on Rope and Cordage.—By Mr. P. Howard, from Roman Catholics of Weston-under-Wood, and Tamworth, for Equality of Civil Rights.—By Colonel T. Wood, from the Fruit Growers in the neighbourhood of London, for Increased Protection.—By Mr. H. Hinde, and Sir George Strickland, from Wortley, and Preston, for further Limiting the Hours of Labour for Young People in Factories.—By Captain Bernal, from Chipping Wycombe, for Repeal of the Poor-law Amendment Act.—By Sir E. Filmer, from Goudhurst, against the Reduction of the Duty on Imported Hops.—By Dr. Bowring, from East Shilton, Wales, Broughton, Cransley, and Warkton, for the Repeal of the Corn-laws.—By Lord Mahon, from Dramatic Authors, for Amendment of the Laws relating to Dramatic Literature.—By Mr. Byng, from Hammersmith, for a Measure to compel the proper Lighting of the Metropolitan Turnpike Roads.—By Mr. Hume, from Friockheim, for a measure to put a stop to the War in China and Affghanistan.—By Lord Eliot, and Sir D. Norreys, from Coshmore, Coshbridge, Mallow, and East and West Muskerry, in favour of the Fisheries (Ireland) Bill.—From Killoran, and Kilvarnet, for Alteration of the present System of Education (Ireland).—From Stromness, against the Reduction of the Duty on Straw Plait.—From Gilcomston, for Abolition of Church Patronage (Scotland).—From Aberdeen, for devising measures for the Relief of the Unemployed and Partially Employed Operatives of that City.—From Monmouth, Usk, and Bridgend, for the Improvement of the Aust Ferry.—From Carmarthen, and Carrick on Suir, against the Removal of the Mail Packets from the Milford and Waterford Stations.—From Newbiggen, for a Harbour of Refuge in the Bay of Newbiggen.—From Carlton, and Cricklade, for the Prevention of Railway Travelling on Sundays.—From the Owners of Fishing Luggers of Norfolk, Suffolk, and Yorkshire, complaining of the Heavy Duty levied on Herrings Imported into the Neapolitan States.—From Beckingham, Heapham, Vale of Alford, and the Eastern Division of Cornwall, against the Importation of Cattle and Meat.—From the Inhabitants of

Old-street, Goswell-street, Chiswell-street, and Bunhill-row, London, in favour of the Buildings' Regulation Bill.—From Waste Gardens, Sligo, in favour of the Marriages (Ireland) Bill.—From John Nichols, against the proposed Commercial Reforms and Financial Measures.—From South Shields, for Amendment of the Benefit Building Societies Act.—From the Royal Burghs of Scotland, against placing any Toll Bar within three miles of any Royal Burgh.—From Burnley, against the Turnpike Roads Bill.

IPSWICH WRIT.] Colonel Rushbrooke moved—

"That the Speaker do issue his warrant to the Clerk of the Crown to make out a new writ for two burgesses to serve in the present Parliament for the borough of Ipswich, in the room of Rigby Wason and George Rennie, Esqrs., whose return had been declared void."

Colonel Mackinnon seconded the motion.

Mr. *Williams Wynn* did not rise to offer any opposition to the present motion, but to call the attention of the House to the report of the committee, stating, that extensive bribery had taken place at the last election. He desired, in the first place, that this report should be read.

The following report was then read by the Clerk:—

"That Rigby Wason, Esq., and George Rennie, Esq., were by their agents guilty of bribery at the last election for the borough of Ipswich. That this committee are of opinion, from the evidence given before them, that extensive bribery prevailed at the last election for the borough of Ipswich, and that the issuing of a new writ for the said borough ought to be suspended until the said evidence shall have been taken into consideration by the House. That the Chairman be requested to move, that this report, together with the evidence taken before this committee, be printed and that the Speaker do not issue his warrant to the Clerk of the Crown to make out a new writ for the electing of two burgesses to serve in this present Parliament for the said borough of Ipswich, until the said evidence shall have been printed and submitted to the House."

This report, the right hon. Gentleman continued, was sufficient to call the attention of the House to the case of Ipswich. He had certainly looked over the evidence, and it appeared to him, that whatever grounds of presumption there might be there was not any case established which would justify the adoption of any measures against the borough. Still he felt, that this was a report which ought not to rest upon the votes of the House unnoticed and unconfirmed. When the House had thought, that further evidence of corruption might be obtained, to show either that it extended to a majority of the electors, or to a great part of the constituent body, they had continued the inquiry, and had proceeded against the borough itself; or there was another course taken by proceedings against individuals, and the House had directed the Attorney-general to prosecute such persons as might appear to have been engaged in the system of bribery and corruption. It was obvious, on the report of this committee, that there were individuals against whom evidence had been given amply sufficient to justify further proceedings against them. He knew it would be said, that they were overlooking the principal offenders, and punishing only the smaller. He could only say, that wherever there should be evidence which showed a probability, that they could reach the instigators of the bribery, he would never be wanting in his support of a prosecution, but it was equally necessary to proceed against the bribed, as the bribers. He recollected, that it was said by Mr. Wyndham, that corruption frequently did not proceed from the top to the bottom, but from the bottom to the top, and he was convinced that if they seemed by their proceedings to afford an impunity to those who took bribes, as well as to the subordinate agents who gave the bribes, they would never give any direct check to this crime. It was unfortunate that in these cases there was not that general feeling against this offence which they would desire to see; the feeling was frequently as much in favour of the object of the prosecution as it was against the offence. The party prosecuted was only looked upon as a martyr, and by his own party he was never thought the worse of. Though there were heavy penalties against bribery, the question was who was to put them in force? In the Cricklade case, where there were convictions for penalties against the head offenders, and where the sitting Members were prosecuted, the individuals never were looked upon in society as discreditable, and one who held high office was advanced afterwards. There never was an instance of a party convicted of the high crime of bribery being looked upon, in any society, high or low, as discredited. If the committee had thought that there were any grounds for believing that evidence could be procured, affecting a great portion of the town, some one would have brought forward a motion for further enquiry, but as none such had been made, he would suggest that the House should give directions to the Attorney-General to prosecute the individuals who were concerned in giving or receiving bribes at the late election for Ipswich.

Sir *G. Grey* was glad to hear what had fallen from the right hon. Gentleman, and rose merely to point out a defect in the present law. The petition from Ipswich, as in many other cases, alleged extensive bribery, &c., and prayed, not that the other candidates might be seated, but that the election might be declared void. Under those circumstances, as a matter of course, the committee determined that they could not enter into the inquiry, whether the other candidates had been guilty of bribery or not. It was a one-sided inquiry, therefore; but, although enough appeared before the committee to raise a suspicion of corrupt practices on the other side, the consequence of the committee refusing to enter upon that inquiry was that the late sitting Members were disqualified from sitting in the House, while their opponents, who might have been as guilty, might again stand at the new election. Had the investigation been carried on, had the committee had the power to go into the doings on the other side, it might have affected all the candidates alike. He could not sit down without expressing an ardent hope that the House would be able to devise some means for investigating to what extent bribery had been practised at the late general election and punishing the guilty.

Mr. *John Parker* said, that if it pleased the House to instruct the Attorney-general to take the course recommended by the right hon. Gentleman (Mr. C. W. Wynn), he concluded, however, that the directions would not be confined to the class of persons against whom evidence was produced before the committee: but that it would be competent for the Attorney-general to proceed against all parties who should appear to him to have been concerned, otherwise the right hon Gentleman would be causing most unfair proceedings, as had been explained by his right hon. Friend (Sir G. Grey). Nothing could be more unfair than to proceed against those persons only whose names appeared in the evidence taken before the committee.

Mr. *Williams Wynn* said, it certainly was not his intention or wish, as the committee had not recommended the House to renew the inquiry, and see the extent to which this bribery had proceeded, or to receive further evidence, to move for such an inquiry; but what he intended was, that the Attorney-general should, in the first place, take as his brief the report of the committee, and then, if he received evidence from other parties, so as to put on their trial persons who were not named or alluded to in the report, he thought that the general sanction of the House would be sufficient. The right hon. Gentleman (Sir George Grey) had said that the two sitting Members would be disqualified, and that the other two candidates would not; but it appeared to him that bribery, commenced at the first election, held under the first writ, was evidence to be given against the same parties upon the second writ; it was not for parties, when an election was declared void, to take advantage of the bribery committed under the first writ. It was, in fact, only an election under the original writ, the first return under that writ was declared void, and though a new writ was issued, it was only one election. It appeared to him that a committee would not be doing its duty if it did not inquire under the second writ into bribery committed under the first.

Mr. *B. Escott* wished to know whether the parties convicted of bribery at the last election before the committee, would be able to vote at the ensuing election, because if they could vote, the election might be carried by the very men who had been convicted of bribery before a competent tribunal.

Mr. *Hume* had no doubt that the election would be carried by the very parties who were convicted of bribery. They expected so, at least, and it was upon that account he thought that the House was rather trifling with the subject. After the report that had been made, they ought to take some measures. He thought that a public prosecutor should be appointed to prosecute and disfranchise every man who should take or give bribes, before a tribunal competent for that purpose. That was the way to put an end to bribery; but he never saw the leaders on either side anxious to put an end to it; and the House itself seemed disposed to support the system. In 1822 a bill had been brought in, in which a test similar to the one which had been proposed the other day by the hon.

Member for Finsbury (Mr. Duncombe) had been introduced, to be taken by Members before they took their seats. Only twenty-three Members had voted with him for that bill. The heads of both parties kept away. The leaders of both parties, both Whigs and Tories, seemed desirous of making elections as expensive as possible; and, in his opinion, nothing would be done to put down bribery until they made all parties, giving or receiving a bribe, incapable of voting. He asked of what use it was for committees to make reports, unless the House followed them up by some effectual measures? He thought the writ ought not to issue for fourteen days, in order to give time to the noble Lord to bring in his bill for the suppression of bribery, and see whether it would do any good. He should move as an amendment that the issue of the writ be suspended for fourteen days.

Mr. *W. O. Stanley* seconded the amendment. The House ought to discountenance bribery and corruption, or they would be bringing discredit on themselves. He thought that when a committee which had sat many days made such a report, it would not tend to their credit if they merely suspended the writ for a few days; and then that a person not a Member of the committee should move the writ, and the very parties who had been bribed should be able to vote again. He would be glad to see an end to that bribery which had prevailed so extensively at the last election.

Lord *J. Russell*, upon the question which had been put to the House, would support the amendment of the hon. Gentleman the Member for Montrose (Mr. Hume), because if it were desirable to do anything, if it were advisable to institute any further inquiry, or to direct the Attorney-general to prosecute certain parties, this ought to be done at the same time that the writ was issued. If measures were to be taken, as had been suggested by the right hon. Gentleman the Member for Montgomery, it would be far better to decide upon them, and not to leave them to be taken till after the writ should be issued. The hon. Gentleman the Member for Montrose seemed to suppose that the leaders of both sides thought elections ought to be as expensive as possible. He could not agree in that opinion. He believed that both parties suffered much from the expense of elections and from corruption. The hon. Gentleman said, that in 1822 the leaders of both parties were opposed to a declaration or test by Members. He was one of those who always doubted the efficacy of this test, and what had taken place lately had only tended to confirm his doubts. When Members came to questions of bribery or of corrupt practices, various interpretations would be put by different individual, upon the law, and that which one person, who had committed bribery by his agents, would have no difficulty in taking, another who was wholly free would not be induced to take. As to collateral measures, this was not the time to discuss them, but with regard to the motion then before the House, it did not appear to him adviseable that they should issue the writ in the first instance.

Sir *R. Peel* must protest against the inference drawn by the hon. Gentleman, that because parties did not acquiesce in any particular motion they were the friends of bribery and corruption, and were not, therefore, anxious for their suppression. That was an unjust imputation upon the party to which he belonged, for he thought that no other party had suffered more from bribery than that party with which he coincided in opinion. He had always declared his readiness to lend himself to the utmost of his power to discountenance a practice which was undermining the influence of that House with the country. At the same time he should reserve to himself the power of determining whether any particular proposition for the prevention of the practice was consistent with justice, and with those principles upon which the law was administered; but, reserving to himself that discretion, he was ready to admit that the practice was one which naturally tended to diminish the authority of that House. His right hon. Friend had suggested that the Attorney-general ought to be directed by the House to prosecute any parties against whom there was a strong case of suspicion that they were concerned in the offence of bribery. He was inclined to concur in the suggestion. He thought, too, that if that motion was made, it ought to be concurrent with the issuing of the writ, and that the issuing of the writ ought in the meantime to be suspended. It appeared to him that the best course would be, that a notice relative to the inquiry into bribery should be given for the earliest day, for a motion connected with the borough of Ipswich, and that the writ for a new election ought to be suspended until the motion came on. This subject could not be in better hands than those of his right hon. Friend; and if he would give such a notice, he would vote for the suspension of the writ. He certainly admitted that the House ought to be cautious, and that the writ should not be suspended for a longer period than the necessity of the case required. They should discountenance bribery, but they should recollect that the constituent body had rights as well as they had, and the writ should only be suspended until they should see what farther steps might be taken in the matter.

Mr. *Hume* would not object to the suggestion of the right hon. Gentleman. His views would be fully answered by it, and he thought that the two measures should be concurrent. He did not mean to charge the right hon. Gentleman with acquiescing in bribery and corruption; but if the two parties had been as anxious for the suppression as he thought they ought to be, they might have concurred in some legislative measure to secure their object.

Mr. *Roebuck* was glad to hear that both sides of the House were so anxious to put down bribery and corruption, and he was also glad to hear from the right. hon. Baronet that the House ought to be cautious how it suspended the writs. That being the case, he would press his particular views on the House. They had already suspended the writ for Nottingham, on the probability of an investigation; but he had previously declared that he would not be a party to any investigation, unless the committee was armed with certain powers; he would therefore suggest that means be offered for passing the Bill of Indemnity to Witnesses, that the case of Nottingham might be inquired into as soon as possible. He hoped the right hon, Gentleman would comply, therefore, with a request he was about to make afterwards.

Mr. *W. O. Stanley* was satisfied that the House had taken the matter up, and he was pleased with what the right hon. Gentleman had stated.

Sir *C. B. Vere* was satisfied that the great body of the electors of Ipswich did not participate in these corrupt practices, but he would recommend his Colleague not now to press for issuing the writ. He was desirous—he must not omit to say—that this large population should be represented as speedily as possible.

Mr. *Ward* reminded the right hon. Gentleman that there was another borough in precisely the same situation as Ipswich; he meant the borough of Southampton, in which the writ had been suspended at his suggestion. By the reports these appeared to be in a great measure parallel cases, and he suggested that the two boroughs might be included in the same motion.

Mr. *Williams Wynn* did not wish to mete out a different measure of justice to one borough or another. He agreed that the report of the borough of Southampton was so very nearly similar to that of Ipswich, that the two might be taken together. He agreed also with his right hon. Friend (Sir Robert Peel) that it was their bounden duty not to suspend any writ, except with the view to some legislative proceeding, and that they ought not to suspend any writ one hour beyond what was necessary to consider whether any legislative proceedings should be adopted; he thought that the House was assuming a dangerous power to protract the issuing of writs. There was a precedent for long suspension; in the case of the Shepherds the writ was suspended for more than one Session, although there were no legislative measures taken. It appeared to him, that this was a precedent not to be followed, but to be studiously avoided. He now clearly gave notice that, unless some hon. Gentleman moved for a further inquiry, he would on Thursday next propose that the Attorney-general should be directed to prosecute all persons concerned in bribery at Ipswich and Southampton.

Motion withdrawn.

MEDICAL OFFICERS — NEW POOR-LAW.] Mr. *Macaulay* wished to ask a question of the right hon Baronet, the Secretary for the Home Department, respecting the report of the Poor-law Commissioners circulated amongst Members of that House on Saturday last. By that report, it appeared that there was a positive prohibition against the employment of medical gentlemen, however high in talent, who had taken his qualification at either a Scotch or an Irish university, until he had also obtained an English medical qualification. What he desired to know was, first, whether the right hon. Baronet held the law to be such as to require this prohibition; and secondly, whether, if so, he was prepared to introduce a clause in the Poor-law Amendment Bill, or by any other measure, to alter a state of things which, either for the practitioner or the patient, must be considered to be indefensible?

Sir *J. Graham* said, that the order of the Poor-law Commissioners was founded upon the best legal opinion which was open to them to take, and that they had endeavoured to inform themselves on the subject in the best manner; and he believed, that while the act of 1815 remained unrepealed, it was not competent to them to employ practitioners who had not been duly qualified in conformity with the practice which held in England. To remove all doubt on this subject, he now begged to move for a return of the minutes of the Poor-law Commissioners upon the subject, which contained all the particulars of the question, and which it was desirable that the House should have. Upon the second question put to him by the right hon. Gentleman, he had to say that it was not his intention, in the Poor-law Amendment Bill, to propose any amendment of the law in this respect. He had, however, already stated, that it was his intention in the course of the present Session, if it were possible, and if not in the next Session of Parliament, to propose an alteration of the law regulating the medical practice of the United Kingdom, and the whole system of medical practice throughout the kingdom.

INDEMNITY BILL.] Mr. *Roebuck* begged to put a question to the right hon. Baronet at the head of her Majesty's Government. A bill for the prevention of bribery had been brought down from the other House of Parliament, which, with a few slight alterations, would answer all the purposes he had in view. What he wished to know was, whether the right hon. Baronet would give him some time in the course of the afternoon to move the second reading of that bill?

Sir *R. Peel* hoped, that the hon. and learned Member for Bath would not be hard-hearted enough to ask him to permit the second reading of that bill, now that they were about stepping into the tariff. The hon. Member would probably have an opportunity late in the evening of moving the second reading of the bill.

CUSTOMS ACTS — THE TARIFF — CATTLE.] Sir *R. Peel* moved, that the Order of the Day be read for going into Committee on the Customs' Acts.

Mr. *Callaghan* rose, to move the resolution of which he had given notice. He hoped that the Government would extend the same amount of protection to the manufactured article as to the raw material. He would place before the House the position in which the Irish provision dealers would be placed without some protection against the introduction of foreign cured provisions. The chief consumption of Irish salt provisions now took place on board our ships going long or foreign voyages, and in the victualling of the navy. But the Irish provision curer could not compete with the foreign curer, and the effect would be, that foreign cured beef and pork would be substituted, and the Irish provision dealer would be driven out of the market. Again, the brand of the Irish provision merchants was received as a guarantee all over the world that the article was good; but if foreign provisions were substituted, the mercantile marine would have no security that they had purchased good provisions, and would often have reason to regret the substitution of a bad article. He thought a protection equal to that given against the introduction of live animals, ought to be granted against the introduction of foreign provisions. In some degree, the distance of foreign countries from which live animals could be imported, protected us from their importation; but that circumstance would be no protection against the admission of salt provisions. He concluded with moving the following resolution:—

"That in removing the prohibition to the importation of any article, there ought not to be charged any duty on the raw material which should not be charged on articles the manufacture thereof; and that so long as living animals be chargeable with a fixed duty, salted provisions should be chargeable with an equivalent rate, and not removable from warehouse without payment thereof, except for exportation."

Mr. E. B. Roche seconded the motion.

Mr. *Gladstone* thought, the resolution rather premature, as it was impossible to see yet what course would be taken on the subject. The hon. Member complained, that it was exceedingly hard that the provision curers of Ireland should be subjected to a free and unfettered competition with the provision-curers abroad. In the first place, what was the situation of the British shipowner engaged in foreign trade? He was subjected to a thoroughly unrestricted competition with the foreigner; and it was mainly upon that ground that the protection had been withdrawn. The Legislature had endeavoured to extend an efficient protection to the provision-curers of Ireland, and it had failed in giving that protection. It might be as well to state, what was the law as it now existed to protect the Irish provision curers. Of course, under the warehousing acts all articles in bond might be taken out of the bonding warehouses for exportation; and it was obvious, without some security, that the masters and crews on board merchant ships might take out goods for consumption as well as exportation. Accordingly, the Warehousing Act provided, that no provisions should be delivered out of the warehouses to merchant ships outward bound, for exportation, without the exaction of a bond to land those provisions at the port of the ship's destination. The law looked very well, and the law had done its utmost for the protection of the provision-curers of Ireland. But how had it operated? Why, there was no security which would guarantee the landing of those provisions. It was impossible to suppose, that we could give to our laws a force and stringency which would extend their operations into foreign ports in a matter of this kind, where we said to the shipowner, "You must run your ships in direct competition with foreign ships, but we call on you to pay for your provisions for your crews a price very much higher than your competitors have to pay for their provisions." This had not formerly been so. The Irish provision dealer formerly had a sufficient protection in the moderation of his prices. In point of fact, it was the high prices which constituted the difficulty in the case. Ten or fifteen years ago, he ventured to say, it would have been of no importance whether the clause alluded to found its way into the act or not. He would first state the prices as they now existed. There was a difference of about 2*l.* 10*s.* per tierce between the price of the best Hamburgh meat as compared with the best Irish meat. At Hamburgh, it was stated, that the lowest price of salt meat was five guineas, the highest 6*l.* Now, in former times, in 1827 and 1828, the price of Irish provisions was 6*l.* In 1832, the price was from 4*l.* 10*s.* to 5*l.* In 1835 and 1836, the price of Irish provisions was 5*l.* 5*s.* In 1837 and 1838, the price of the best Irish provisions was 6*l.*; and therefore, in point of fact, so far as her natural capabilities were concerned, Ireland showed that she was fully able to compete with the foreign curer of provisions. But the shipowner, it appeared, had been called on to pay a very much higher price. In 1839 and 1840, the price of Irish provisions rose to 7*l.*, and in 1840 and 1841, to 7*l.* 15*s.*; so that the shipowner was called on to pay 7*l.* 15*s.*; where, twelve or fifteen years ago, he was paying 4*l.* 10*s.* to 5*l.* But not only was the shipowner compelled to pay that rate; but he was informed, that the character of Irish provisions, of which the hon. Gentleman had spoken with so much satisfaction, was in danger of being deteriorated. The quality of Irish provisions had suffered much from the demand having drawn off so many Irish cattle to this country, and many of the best parts of provisions formerly used for salting. So that the shipowner was in this position—he was called on to pay for an inferior article a very enhanced price. A consequence of this was, that there was a great deal of fraud and evasion, which that House must always be anxious to obviate, and which, he ventured to say, as long as the law continued in its present state, it was impossible to prevent. He did not think the hon. Gentleman himself could suggest any means whatever to prevent ships on the wide sea having taken provisions out of the warehouse for exportation, from using them for the support of the crew. There was certainly one way in which it might be prevented—by putting an end to the warehousing system, and having no provisions put into the warehouses without an immediate exaction of the duty; but he thought, that would be exceedingly impolitic, for the warehousing system was most useful. The principle now proposed to be acted on was nothing new. In the greater part of stores which ships required, we did not give the British producer a monopoly of providing for our ships. There were orders at the Custom-house, under the authority of the law, by which nearly every article might be delivered to ships without payment of any duty whatever. On these grounds—the enhancement of the price of Irish provisions and the deterioration of the quality, the greater cheapness of these provisions abroad, and the great hardship on British shipowners in the present state of the law, and the incapability of Parliament to prevent fraud and evasion of the law, without abandoning the warehousing system—when the Customs' Bill came before the House, he trusted the proposed alterations relating to salt provisions would be made. He could not, therefore, accede to the instruction moved by the hon. Gentleman. There was, to a certain extent, a consumption which would be protected by the duty proposed, both in the trade of the country, and the provisions purchased by coasting vessels, but what was the real state of the case with regard to those bonds which had already been spoken of, because it was partly on the utter inefficiency of the system now in practice that the present proposition of the Government was grounded? It appeared, that since the passing of the Warehousing Act, the whole number of bonds which had been entered into was 3,126, and the number of certificates received, that was to say, the number of cases in which provisions had been landed at the ports of destination, was 831 in all; thus about one-fourth of the bonds which had been passed, appeared to have been effectual, while three-fourths of the whole number had been utterly ineffectual. As long as the price of provisions in Ireland was moderate, it was not difficult to protect the producers in that country; but, now that prices were high, it was utterly impossible to protect them against foreign competition.

Mr. *Labouchere* agreed entirely in the view taken of this subject by the right hon. Gentleman who had just sat down; and although the hon. Member who had brought forward the present resolution naturally felt desirous to bring this question—a question so interesting to his constituents — under consideration, still he thought it would not be expedient for the House to agree to the proposal the hon. Gentleman had made. He agreed with the right hon. Gentleman opposite (Mr. Gladstone), not so much on account of the inefficacy of the present law, because he believed that if this were removed, very great injury would be inflicted upon an important portion of the national interests. He held it to be good policy to enable the vessels engaged in the commercial marine of this country to provide themselves with provisions at as cheap a rate as possible. This was the capital point of national policy which ought not to be lost sight of, and the Legislature ought not to allow considerations of minor importance and of comparatively trivial nature to interfere with it. The right hon. Gentleman had truly said, that a great revolution had taken place in the supply of provisions from the south of Ireland. Formerly, they were cheaper than in any country in the world. This revolution was owing to the increasing prosperity of that portion of her Majesty's dominions. Formerly, the Irish breeder of cattle could do nothing but cut up the produce, salt it, put it into a cask, and sell it in that state; but now, in consequence of steam-boat communication, he was able to send live stock or Irish meat to different parts of England, and even to the London market, and of course the result had been to raise the price of provisions in Ireland, and hence it was that that which formerly was only a nominal hardship in compelling the shipping interests to take their salt provisions would now become a serious practical grievance, if the present system were continued. This was one of the reasons which had induced him last year, when he introduced the Colonial Customs Duties Bill, to urge upon the House the propriety of a general reduction in the rate of protection upon cured provisions in the colonial markets of this country; and he rejoiced to see that the present Government had taken the same view, and that in their Colonial Customs Duties Bill, they proposed to make a reduction generally. He entirely concurred in that principle, and would support the measures of the Government in this respect. The Government had declared an opinion that it was important that the commercial marine of this country should be victualled at the cheapest possible rate—he hoped they would apply that principle to other matters besides cattle, and that they would feel the importance of also having the shipping supplied with biscuits at the lowest possible rate. This had long been a great object to the commercial marine, but it had been prevented by the groundless jealousy of the landed interests of this country. He rejoiced that his hon. Friend the Member for Gateshead had given notice of a motion to admit flour to be ground in bond for this supply, and he trusted, after what had been said this evening on the part of the Government, the proposition would receive their support. At least, he hoped if they would not adopt the measure proposed by his hon. Friend, they would take the matter into their own hands, and do an act of justice to the shipping interest which had so long been sought for in vain by it.

Mr. *E. B. Roche* protested on behalf of the Irish people, against such a coquetting with free trade as was exhibited in the present measure of the Government. The people of Ireland felt it to be most unjust that the Government should always use free trade arguments when they cut against the Irish community and that they should deny the same arguments when they cut in favour of that portion of the subjects of the Crown. In Ireland it was well understood that all English produce was protected in the new tariff, while, on the other hand, Irish productions would be placed in a worse situation than they would be under a complete system of free-trade.

Sir *R. Peel* remarked, that the hon. Gentleman, it seemed, had nothing to say against the justice of the particular proposition before the House, but referred to the whole tariff, and said the Government were not at liberty to touch any article unless they wholly and universally adopted the principles of free trade. The hon. Gentleman had asked him whether he remembered having used this argument when he brought forward the Corn Bill. He knew what he had said on that occasion, and he well remembered the speech of the hon. Gentleman, who had told him he was going to ruin the trade in the great staple agricultural produce of Ireland. Now, he very much doubted whether, if in his scheme he had removed all the protection to Irish oats as well as Irish cattle, he should have had the cordial approbation of the hon. Gentleman for that proposal. The hon. Gentleman must remember that at present there was a duty upon salted meat brought from abroad of 12*s.*, which he proposed to reduce to 8*s.* as far as home consumption was concerned, and very little would be brought from abroad under 12*s.* duty. It was quite true that 12*s.* duty applied to salted provisions taken by ships; but, as his right hon. Friend near him (Mr. Gladstone) had shown with regard to that protection there was, under the present system a complete delusion, and that vessels had taken salted meat subject to a nominal duty of 12½ per cent. and had consumed it has stores, instead of landing it as merchandise at their port of destination. He could not help thinking the proposal now made was perfectly fair, and he did not think it would incur the danger which hon. Gentlemen opposite seemed to anticipate. The danger they apprehended arose from the great increase in the price of Irish provisions, but he could not despair of Ireland being able to compete with other countries in the supply of meat for consumption at home and abroad.

Mr. *E. B. Roche*, in explanation begged to say he neither voted nor made any speech on the Corn-law discussion. He was not in the House at the time.

Sir *R. Peel* said, he begged pardon for having made a mistake. It was the hon. Member for Kerry who made the speech in question.

Lord *J. Russell* could not think the hon. Member for Cork had made out any case in favour of the resolution which he proposed. He admitted that the system of certificates of landing in foreign ports was delusive in itself, and when the hon. Member asked the House to provide an efficacious remedy, he must reply, that the principle was wrong altogether, and that it would be far better to part with the delusion. The hon. Member for Cork had told the House, that he learned by a letter from Illinois, that very good and very cheap provisions were now selling in that state. Now, if those provisions could be brought here cured and used by the commercial shipping of this country, he would say, "Let them come in and let us have the advantage of them." The hon. Gentleman who had spoken afterwards contended, that although a right principle was laid down on this particular article, yet it was not a right principle to apply to other articles enumerated in the tariff. That was perfectly true, but the use he made of that circumstance was very different from the use the hon. mover had made of it. On a question of free-trade, it was very easy to make objections, and to say, that because some articles were made free, others ought to be made subject to the same principles, and that unless this was done hon. Members would not consent to the general proposition. Now, he would say, with regard to any proposition made either by the Government or made by any individual—if made on sound principles, he should give his vote in support of it, and endeavour to apply it to other articles to which it was not applied by the Government. Such would be his course in any vote he might be called upon to give either before the Speaker left the chair or when the House was in committee, wherever he might find that the Government had disregarded the principles which the right hon. Gentleman the Vice President of the Board of Trade had himself laid down, he should in all cases endeavour to apply them to articles not intended by the Government. He thought it would altogether fail to apply the principle—not of free-trade, as it was called, but of free competition, as he would term it, to all articles. He said, "Apply that principle wherever you can, and it will work its way out, and those unjust monopolies left even by the Corn-laws of the present Session would be reduced to the same sound principles."

Sir *R. Ferguson* thought the right hon. the Vice-President of the Board of Trade had not treated the subject fairly when he spoke of the bonds given on taking out provisions under the Warehousing Act as a delusion; for though, no doubt, a great deal of fraud was practised, still there were many respectable houses both in this town and elsewhere who scorned to adopt any such system as that which had been pointed out. The right hon. Gentleman had not mentioned how many bonds were kept by vessels still on their voyages.

Motion negatived.

House in Committeee, Mr. Greene in the Chair.

On the first resolution:—

"That in lieu of the present rates of duty now payable upon the articles enumerated in the annexed schedules, there shall be raised, levied, and paid upon the importation of the said articles into the United Kingdom the rates of duties proposed in the said schedules, and all prohibitions or restrictions of any such articles, except as therein specified shall cease and determine."

Mr. *Miles* rose for the purpose of proposing the amendment of which he had given notice, relative to levying the duties on all live stock imported from foreign countries by weight. In justice to the constituents who had sent him there, he had taken this early opportunity of bringing this amendment forward. It might seem extraordinary that an individual who had given his unlimited confidence to the measures of the right hon. Baronet at the head of the Government should, upon the consideration of the tariff, thus early commence an opposition to a part of it. But, concurring as he did, with many hon. Friends who sat around him, that the alarm which had spread throughout the country relative to the tariff, and particularly as to the importation of provisions and of live cattle, had a just and sure foundation, and having with other Friends attended as a deputation on the right hon. Baronet, and urged upon him those reasons which they thought ought to have induced the right hon. Baronet to alter those particular duties without success, they had nothing now left but to endeavour by a decision of that House to get a fair protection, and a fair protection was all that they required for the agricultural interests in this respect. He must say, however, that, taken as a whole, the scheme of finance offered by the right hon. Baronet during the present Session appeared to him to be the most complete, full, and ample scheme ever offered by a Minister in times of comparative peace, and he thought that, generally speaking, it had met with reluctant but considerate approbation. By it the burdens of taxation were now laid upon the right shoulders, and for the financial difficulties of the nation, brought about by previous financial mismanagement, which had been attempted to be bolstered up by futile but irritating palliatives, the right hon. Baronet had brought forward a decided remedy, under which direct taxation was now to be called in to alleviate an embarrassed Exchequer. The burdens of the poor were now to be lightened, inasmuch as provisions and articles of general consumption would be made cheap by the operation of the reduction which had been proposed, whilst the incomes arising from the property which had been accumulated during the war would be called upon to contribute to the resources of the country and administer relief in our temporary embarrassment. In presenting himself to propose a motion of the nature he was about to submit, he need not allude to the support the right hon. Baronet had received from the phalanx of county Members who sat around him; but this he might say, that he and his Friends had gone along with the right hon. Baronet as far as they could; they had not opposed the Corn-bill; they had agreed to it in silence, and consented in silence that their own and their tenants' property should be taxed out of regard to the peace of the country. But the time of silence was now passed; it was their duty to their constituents to defer no longer stating their sentiments on this part of the measures of the right hon. Baronet. In bringing forward the proposition he was about to offer, he was sensible of his own inadequacy to do full justice to the subject; it was difficult for hon. Members who had not turned their attention much to the subject to perceive the exact bearings of the tariff on the whole system of our taxation, but he trusted that he should have the indulgence of the House while he endeavoured to the best of his ability to discharge his duty to his constituents. No doubt the Corn-bill had been received with alarm by the country. In that alarm he did not participate, and he hoped it would not continue. He believed that agriculture was improving so rapidly, and science was so mingling with practical knowledge, that we should be soon able, even with reduced rates of duty, to compete with foreign agriculturists, that they might trust, as he did, that even with the reduced scale of corn duties the English farmer might be able to compete with the foreigner. That was his opinion with respect to the alterations of the Corn-law; but with respect to the alterations in the tariff the case was different. There they had to grope in the dark for the probable results in a way that was most unsatisfactory. From a total prohibition upon the foreigner to interfere with the English meat market, the farmers were now called upon to agree on a scale of duties which were imposed on what was to him, he confessed, an unintelligible principle, and which, if carried into effect, could not but be detrimental to agriculture. As he was fully convinced of this, so he was clear that now was the time for oppsoing this part of the measure, and he had consequently prepared such a resolution as would render the object of himself and his hon. Friends apparent to the right hon. Baronet. What he and his hon. Friends demanded was, that the duty on live cattle should be taken by weight, and not by the head, as proposed by the right hon. Baronet. If it were asked, why did he come forward on this occasion, his reply was, that there were times when it became the duty of every individual Member to come forward to amend a measure of this sort upon discovering any part which was, in his opinion, decidedly faulty. It had been said to him out of doors, "Why should you bring forward this proposition; would you, as farmers, be better off if the right hon Baronet were turned out and the noble Lord opposite were put in his place?" But the question was not whether this Government or set of men should occupy the Treasury benches, or another. The question involved no principle of that sort; the question was simply one of detail, and as one of detail the House must discuss it. With respect to the grounds on which he and his Friends rested their opposition to the proposed scale of duties on live cattle, the Government were not wholly uninformed. Many deputations from different agricultural districts had attended the Board of Trade, and pressed on the right hon. Gentleman and other Members of the Government the probable effects of the measure, and he was happy to say that some deputations, consisting of parties who might have been supposed to be least represented in the House of Commons, had nevertheless been heard with great attention, and with a manifestation on the part of the Government of a desire to hear with attention whatever might be pressed upon their notice. When the right hon. Baronet brought forward his Corn-bill, he held out to the agricultural interest, in order to induce them to accept it, benefits of this description—"Look, the right hon. Baronet said, at the benefits you will derive from the reduction to the farmer of various articles—look at the reduction on grass seeds —look at rape-seed and other seeds;" To his astonishment also, the right hon. Baronet said, "look at onion-seed;" but he would ask the right hon. Baronet whether he did not think that the reduction made on those articles was made up, and more than made up, by the reduction in the duties on corn? The right hon. Baronet had also stated—and in that he was glad to concur with him—that the panic had subsided; but at the same time, the right hon. Baronet said, that, in his opinion, the low prices of meat had occurred from natural causes, and not from the proposal of the tariff; and so it undoubtedly was, because at that time of year, the farmer was accustomed to send his cattle to market, and the vast influx in consequence had caused a fall in price. There was, no doubt, however, that some designing speculators had taken advantage of the tariff to operate upon the prices—and with some success; but he could assure the right hon. Baronet that he had never given way to the panic in any way, and if he was not thoroughly convinced upon calm reflection of the truth of the principles he was advocating, he would not be seen on the floor to bring forward any proposition whatever. With respect to the agitation that was going forward he could say that no one deprecated agitation more than he did on any point; but, independently of that agitation, he could assure the right hon. Baronet that there was a deep feeling in the country that in framing this tariff the interests of the farmer had not been properly taken care of. The farmers felt that taking the duty on live cattle at so much per head was not the proper mode of taking it. The right hon. Baronet had spoken of the quality of English meat, but had he considered that the farmer looked not only to the quality of the meat, but also to the quantity of manure which was made by feeding cattle, and its effect to increase the value of the land, which could not by any other means be so effectually increased; had the right hon. Baronet looked to the consideration that feeding beasts was an indispensable adjunct to the system of agriculture that was pursued in many parts of this country? Had the right hon. Baronet looked to the question, whether the farmer, after these reductions in the prices of his productions, would be able to pay the same wages for labour as he had been accustomed to pay? He would first call the attention of the committee to this point, namely, what was the price of artificials last fall; and then as to the quantities of artificials consumed by the farmer in this country and in Denmark? The price of oilcake last fall in this country was 10 guineas a ton; in Denmark it was 6 guineas, or one-third less. Barley in England was 30*s.* the quarter; in Denmark it was 15*s.* a quarter, being one-half less. He knew a farmer who last year consumed in fattening cattle ten tons of oilcake, at a cost of 105*l.*, and 200 quarters of barley-meal which would be 300*l.*, making altogether 405*l.* consumed in artificials. Now let them see what would be the cost of the same quantity of artificials to the Danish farmer. For the ten tons of oilcake he would pay 63*l.*, and for the 200 quarters of barley-meal 150*l.* making together 213*l.* So that the saving to the Danish farmer on this quantity of artificials would be 192*l.* This being the case, was he wrong in asking for protection —not a large, but a fair protection? When the House saw that the Danish farmer could use his artificials at one-half the cost that the British farmer could, that ought to enter into their calculations in settling the amount of duty. He would now ask the House to attend to the different rates of duty upon live animals, and fresh or salted meat. If an ox were imported as meat the duty would be 8*s.* a cwt.; but for live animals the duty on an ox would be 1*l.* on a cow 15*s.*; on a calf, 10*s.*; on a sheep, 3*s.*; on swine and hogs, 5*s.* With respect to the last item, he must remind the House that in the shape of hams, swine's flesh paid 14*s.* a cwt. Taking then an ox of 6 cwt.—and according to Mr. Meek's table it appeared that was about the weight at which they must expect to receive most of the oxen imported —then, imported as meat the duty would be 2*l.* 8*s.*; adding the duty on the hide and tallow the whole duty paid on the importation of the animal in this state would be 2*l.* 9*s.* 8½*d.*; but if sent alive it would be charged merely 1*l.* duty, and from that deducting the amount due to the hide and the tallow which would then come in duty free, the real duty paid would be about 18*s.* 3½*d.* The difference, therefore, in favour of importing alive above sending it in the shape of meat would be 1*l.* 11*s.* 5½*d.* Now, he must say, that it did appear to him that there was neither justice nor fairness in this. Next as to pigs. Taking a hog of 3 cwt. it would only pay 5*s.* if imported alive. If sent over as fresh pork it would pay a duty of 1*l.* 4*s.*; if on the other hand, it came as bacon and hams it would pay 1*l.* 8*s.* In either case there must be a deduction of about one-third of the weight for lard, the duty on which would be 8*d.* Hence the difference in favour of importing a pig alive over importing as fresh pork would be about 1*l.*; over importing as ham or bacon would be about 1*l.* 4*s.* It appeared therefore, to him, that any great quantity of provisions of this sort could not come in, except in the live state. He would next inquire what was the consumption of an ox of 6 cwt. and a hog of 3 cwt.; he had been as careful as he could in this investigation, and a person on whom he had great reliance, and who was well known in the cattle market, whose name was Druce, had informed him what was the quantity of artificials that it took to feed an ox up to 6 cwt., and a hog to 3 cwt. He said, that the former would require twenty weeks' grass at 3*s.*, twelve weeks' stall feeding on 12 cwt. of hay at 3*s.* 6*d.*, and twenty-one bushels of bean and barley meal at 3*s.* 6*d.*, making in the whole 8*l.* 15*s.* 6*d.* To get a hog up to 3 cwt. would require twenty-two bushels of barley meal, worth 3*l.* 6*s.* Now, twenty-one bushels of barley at 28*s.* a quarter would pay a duty of 9*s.* a quarter, or 1*l.* 3*s.* 7½*d.*

in all; whereas, at 24*s*. the duty would be 11*s*. a quarter, and the consequence would be a saving of duty on the hog, if imported in the shape of meat, of 1*l*. 10*s*. 5*d*. over sending the raw material of barley. This was an important advantage to the foreign farmer, and if they considered the different prices of labour that obtained abroad and the difference in rents and in taxation, all of which must enter into the price of meat, they must of course, come to the conclusion, that all these bore with a greater relative weight upon the English farmer, and therefore ought to be considered on an occasion of this kind. On the other hand the British farmer would have to encounter the competition of foreign growers. The right hon. Baronet had endeavoured to show that the imports could only come from a very small portion of Europe. Now, whether the home-grower would have to compete with the whole of Europe or not, he apprehended that he would have no difficulty in showing that there would be no obstacle arising from the difficulties of navigation to the importation of live animals from Holstein, Belgium, Denmark, and Lowenberg. He apprehended that they would become the great *foci* from which cattle would be imported; and he would proceed to form an estimate of the prices at which the home-grower would have to compete with the foreign producer. He would first take the case of Ostend. But it seemed to be the general opinion that Belgium was rather an importing than an exporting country. He found, however, from Mr. Meek's report, that last year Belgium exported to France 17,000 head of cattle. He thought under those circumstances he was quite justified in taking Ostend as a port whence the import of cattle would affect the English grower. Now, the price of an ox at Ostend was given at 12*l*. 14*s*., the freight would be 1*l*. 6*s*., the duty 1*l*., and allowing for other charges 5*s*., the price at which the ox would come into competition with the home grown ox would be 15*l*. 5*s*. At Hamburgh the cost price of an ox was 12*l*. 8*s*., the freight would be 2*l*., the duty 1*l*., other expenses 5*s*., making in all 15*l*. 13*s*., the price at which the Hamburgh ox would come into competition with the home grown ox. At the next named places, the following would be the prices at which the ox could be imported into England:—

KIEL.

Price	£7	17	0
Freight	2	6	0
Duty	1	0	0
Other charges	0	6	6
	£11	9	6

LUBECK.

Price	£11	10	0
Freight	2	6	0
Duty	1	0	0
Other charges	0	6	6
	£15	2	6

ROSTOCK.

Price	£12	8	0
Freight	2	3	0
Duty	1	0	0
Other charges	0	6	6
	£15	17	6

DANTSIC.

Price	£9	13	0
Freight	2	15	0
Duty	1	0	0
Other charges	0	6	6
	£13	14	6

ELSINORE.

Price	£8	10	0
Freight	2	6	0
Duty	1	0	0
Other charges	0	6	6
	£12	2	6

Now, the price of an English ox, taking it at only 6*d*. the pound, would be 16*l*. 16*s*. Taking, therefore, that as the price of the home grown ox, and comparing it with the above prices abroad, it would appear that the British farmer, in competition with the foreign farmer, would stand at a disadvantage as compared to Ostend, of 1*l*. 11*s*.; Hamburgh, 1*l*. 13*s*.; Kiel, 5*l*. 6*s*. 6*d*.; Lubeck, 1*l*. 9*s*. 6*d*.; Rostock, 18*s*. 6*d*.; Dantsic, 3*l*. 1*s*. 6*d*.; Elsinore, 4*l*. 13*s*. 6*d*.; or an average disadvantage of 2*l*. 13*s*. 4½*d*. per animal, and of 1*d*. per pound. But the right hon. Baronet, in opening the subject of the tariff to the House, had endeavoured to show, that notwithstanding the increased importation of foreign cattle the price of meat had remarkably increased. The right hon. Baronet quoted a table of the contracts for fresh meat for the navy and for Greenwich Hospital, which showed a gradual increase of price, and then came a most extraordinary column, showing what had been during the same years the price to the private consumer. But the right hon. Baronet should remember, that the years in respect of which he had made his quotation were those in which prices had been highest—those in which the table of that House had groaned with petitions complaining of the high prices of food. Yet, notwithstanding that, it appeared that the prices to the London consumer were, in 1835 (the first year the right hon. Baronet quoted), from 7*d.* to 8½. the pound, and in 1841 (the last year quoted), 8*d.* to 8½*d.* But, after all, the fair way of ascertaining the price of meat as it effected the British farmer was to look to the prices at Smithfield; because it was for them to argue, not on the prices received by the retail butcher from the consumer, but on the prices received by the farmer from the wholesale buyer. Now, it appeared that the average prices at Smithfield in 1841 were—for beef, 6*d.*; for mutton, 6½*d.*; for pork, 7*d.*; for veal, 7½*d.* Those were the real wholesale prices received by the farmer. Now, how much lower was it expected that the farmer should be compelled to go in reducing the price of meat? Was he expected to go lower than this average price of 6*d.* the pound? According to the statements which he had just read of the prices of animals abroad, the farmer, if he desired to compete with the averages of different ports, would have to sell at a price between 4*d.* and 6*d.*, which would make it impossible to maintain the present rate of rents. He would now come to the prices of pigs at the different ports in question, as compared with the prices of home-produced pigs. The British pig, of an average weight of 3 cwt., at 6*d.* the pound, would fetch 8*l.* 8*s.* Now, the pig could be imported from the following places at, including freight, duty, and incidental charges, the following prices:—Ostend, 6*l.* 3*s.*; Bremen, 6*l.* 10*s.*; Hamburgh, 6*l.* 17*s.*; Kiel, 4*l.* 0*s.* 7*d.*; Lubeck, 7*l.* 11*s.* 2½*d.*; Dantsic, 4*l.* 14*s.* 6*d.*; Elsinore, 4*l.* 14*s.* 6*d.* The average price, therefore, would be 5*l.* 15*s.*, or less than 4½*d.* per lb. So much for the effect which the importation of this description of live stock would have on the British farmer. The right hon. Baronet had asked the other evening, incidentally to his argument, why foreign oxen had not been poured into France? He would remind the committee, that in 1822 the duty on animals imported into France was very much increased. The duty on oxen was raised to 2*l.*, and in addition to that, there was also the octroi duty, which varied almost every year, but which at Paris averaged 1*l.* Thus the whole duty was 3*l.* on every animal imported into Paris the great seat of consumption. It was supposed at one time that this increase in the duty would have prevented the importation of live cattle into France. For the first year or two—that was to say, in 1823 and 1824, such was certainly the case. But there was then no reason for the importation of foreign cattle, for beef was at that time 4*d.* the pound. If, however, the right hon. Baronet had cast his eyes a little further, he would have seen that in 1828, when beef was 5*d.* the pound, upwards of 67,000 head of cattle were imported into France. In fact, when the duty was 3*l.* the largest amount came in that had ever been imported. He would now call the attention of the committee to a branch of the subject which was of very great importance, and which had already been opened by the hon. Member for Cork in regard to Ireland. It bore materially on the general question, because if the salted provision trade with Ireland was destroyed, the necessary consequence would be that a larger quantity of animals would come into England from Ireland to be consumed as fresh meat. It was a singular fact in connexion with this part of the subject that America had never taken cognizance of her trade in salted provisions with this country until in the last year, because then it sprung up and increased in a most extraordinary manner. The quantity of salted beef imported from America was 7,700 cwt. in 1840; but in 1841 it had increased to 22,429 cwt. In illustration of his views on this subject he would request the attention of the committee while he read a quotation from the *New Orleans Price Current*, written immediately before the tariff came out. It ran thus:—

> "New Orleans is the natural outlet of nine important states of the union, which all send their products by river navigation to this port. These states, viz., Ohio, Kentucky, Indiana, Illinois, Tennessee, Missouri, Arkansas, Mississippi, and Louisiana, contain together an area of 450,000 square miles, believed to be unsurpassed in fertility and richness of soil by any portion of the globe; with a population of 5,500,000, devoted either directly or indirectly to agriculture, and amongst whom the manufacture of cotton or other fabrics for clothing is almost unknown."

[*Cheers.*] I am not asking, continued the hon. Gentleman, for the English farmer any protection to the detriment of any other class. I am only asking for him a right, just, legitimate protection, the same as is afforded to manufactured and other articles in this tariff. The writer in the *Price Current* continued:—

"Still the resources of this valuable extent of country remain in a great measure undeveloped, and must remain so, as long as its most natural market is closed against it. We call Great Britain its natural market, because each country wants precisely what the other produces in excess, and eagerly searches out markets for; and between which there is an identity of race and descent of language and of habits, which would undoubtedly have led, long since, to a most extended and mutually beneficial intercourse, and the consequent friendly feelings. But, unfortunately, legislation has interposed, and has raised a diversity of interest where mutual dependence should exist. This city is every year filled to overflowing with flour, corn, beef, pork, &c., for which markets are eagerly sought, and which we know to be but a small portion of the supplies which could be furnished did a steady demand exist at moderate prices; while we also know how great are the wants of the producers of these important articles of food for all kinds of clothing, ironmongery, hardware, and the like. To open the door to a commerce of such vast importance as would result from an interchange of these commodities would surely be an object worthy of a statesman. Whether such interchange shall be permitted to exist, or such extended commerce be opened, will depend upon the nature of the laws to be proposed for the regulation of the import of grain and provisions into Great Britain. Although it is of great consequence to our producers that such articles should be admitted into Great Britain at moderate duties, the amount of such duty really affects us less than the regulations under which they shall be levied."

It seemed to him, therefore, that the American, like the British farmer on the present occasion, did not so much regard the amount of duty as the manner in which it was to be levied, and really all that he was asking from the right hon. Baronet was a little more protection for the farmer as regarded the manner of levying the duty. American mess pork could be introduced at about 3½*d.* the pound, and prime pork at about 2½*d.* the pound. But it would be said that American pork stood lowest in the market, English being first, and Hamburgh second. American mess beef could be introduced at a little more than 3¾*d.* the pound. To return, however, to the statements of the *New Orleans Price Current.* In a subsequent number the writer went on to say:—

"When it is remembered that not one-tenth part of the land in these states is under cultivation, it will be admitted that their means of production are no more developed than are the wants of those countries whose consumption is impeded by protective or prohibitive duties. We consider ourselves quite safe in expressing our belief that two years of steady demand for wheat, beef, and pork, for export to Europe, would augment threefold the quantities of these articles, which are now received at New Orleans from the west, and we can set no limit to the capabilities of consumption or production of these fertile regions, with a population augmenting every year by numerous emigrants from Europe and the Eastern states."

Now, what in the course of two years had been the increase of exports from New Orleans in the two articles of flour and pork? Why, where before 500,000 barrels of flour had been exported, there were at the end of two years 1,500,000 barrels exported. Where at the former period there were 262,000 sacks of corn maize, and 163,000 barrels, there were in the second year 786,000 sacks and 489,000 barrels; and where there had been 210,000 barrels of pork there were now 630,000. It now only remained for him to express a hope that the right hon. Baronet would take these things into his consideration. He confessed that he did not yet know upon what basis the proposed duty was to be levied. Did the right hon. Baronet mean to take as his basis the ox or the meat? Were he to take the ox, the duty on meat would be too high; were he to take the meat, of course the duty on the ox would be too low. If the right hon. Baronet believed, as he did, that there would be no difficulty, or very little, in proportioning the duty upon the live animal by the cwt., then, he hoped that the right hon. Baronet would at once consent to the motion; but if the right hon. Baronet did not, then would he most respectfully, but most decidedly, oppose this part of the tariff. In endeavouring to show upon what grounds he should do so he had taken a lesson from the right hon. Baronet, by avoiding a particular reference to what might be the importation of this year or the next, and by taking at once a prospective view of the question. Mr. Meek, in his report, stated that a communication was about to be opened between the Danube and the Maine. Considering with that fact the quantity of cattle that might be had from the banks of the Danube at so low a price as to leave room for a considerable profit after the expenses were paid, he saw nothing to prevent the Dutch, who had almost a Chinese veneration for manure, from buying cattle in Hungary, and fattening them for the British market. If there existed a probability of an increase in the supply of cattle, as stated by Mr. Meek, from Prussia, Wurtemberg, Hanover—in fact, from the whole of Europe—he conceived he was justly entitled to ask for the consideration of the right hon. Baronet to the motion with which he now begged to conclude, namely,—

"That the duties to be levied on all live stock imported from foreign countries for the purposes of food be taken by weight."

Mr. *R. Palmer* seconded the motion, and said, that he could not allow the present opportunity to pass without expressing his entire concurrence in the view which his hon. Friend had taken of the question before the committee, and, at the same time, stating what he himself knew to be the feeling of the agricultural portion of the community in general with respect to the proposition of the right hon. Baronet as to cattle. Whatever opinions might have been entertained by that class of society upon the question of the Corn-law—and he knew there was a great difference of opinion upon that subject, some thinking that the new scale would operate injuriously to the agricultural interest, whilst others thought it would not;—still he would venture to say, there was scarcely any part of the country where the measure now proposed by the right hon. Baronet was not considered as most injurious to the agricultural interest,—and in consequence there had been very great alarm excited in the agricultural districts. He did not see why an animal weighing, perhaps, six cwt. should be brought into this country alive and pay but 1*l*. duty, when, if brought in after being killed, it should pay as much as 48*s*., or 8*s*. in the cwt. He, therefore, cordially supported the motion which his hon. Friend had introduced so much in detail as to render it unnecessary for him to occupy the time of the House in making any observations to support it.

Mr. *C. Wyndham* begged to dissent from the opinion that the proposed measure of the Government had created anything like a general panic. He, at least, had seen nothing of it in the county with which he was connected. Even supposing a panic did exist, there were no grounds for it, inasmuch as those countries which had been referred to as likely to supply the British market had not the cattle wherewith to do so, or if they had, they were of an inferior sort, and not fit for the British market.

The Earl of *March* felt it necessary, after what had just fallen from his hon. Colleague, to say, that he agreed in everything that had been stated by the hon. Gentleman who had introduced the motion, and that in the county which he represented, in common with his hon. Colleague, the greatest fears existed on account of the proposed tariff.

Mr. *G. J. Heathcote* felt that he was contending against fearful odds in supporting the motion of the hon. Member for East Somersetshire, inasmuch as they had the leaders of both sides of the House leagued against them. He would not exaggerate the state of panic into which the agricultural interest had been thrown by the announcement of the proposed changes in the tariff, but he could assure the House that the strongest feelings existed on the subject, and that the consequence had been an enormous depreciation in the value of produce. Country gentlemen of moderate fortune, yeomen possessing a small property, and the tenantry generally, complained that the right hon. Baronet had laid an Income-tax on them, and had at the same time diminished their means of paying it, by depreciating the price of their produce. They complained that he had relieved the other parts of the community at their expense. The right hon. Baronet had engaged in three great experiments, of which no man could foresee the results. This, however, was admitted on all hands, that all the benefits to be derived from those experiments were to be for the commercial and manufacturing interests, while all the risk and all the loss was on the side of the agricultural interest. The right hon. Baronet had mainly based his proposition on the assumed fact, that it would be for the benefit of the country that the price of living should be made cheaper, and argued that the price of meat had risen to an improper height. The right hon. Baronet had taken the prices of 1835 as his standard; but what were the circumstances of the country in 1835? It was the time of the most bitter agricultural distress that had ever occurred within the memory of man in this country. The price of wheat was then only 39*s*. a quarter. There had been nothing so deplorable, since the period of the American war. In 1833, a committee of that House had sat to consider the question of agricultural distress. In 1836, a committee had again been appointed to investigate the causee of agricultural distress; and the right hon. Baronet took the years between these two periods as the basis on which his new arrangements were to take place. As the right hon. Baronet chose to take 1835 as his standard, he might take 1812 as his standard, when wheat was 126*s.* a quarter, and the price of meat, for Greenwich Hospital, was 85*s.* a cwt.; and he might argue that, as the price was now 56*s.*, the fall which had taken place, as compared with 1812, was greater than the rise, as compared with 1835. He was surprised to hear the right hon. Baronet make use of such an argument; and he would ask the right hon. Baronet what would have taken place at the last election, if instead of talking about protection to agriculture, he had proposed, as a compromise, the prices of 1835? The hon. Member for West Sussex had said that, at present, there was no immense stock of cattle abroad, from which any very large importation could come, but a wise statesman should adapt his legislative measures not merely to present convenience, but to future contingencies. The only thing which had prevented the fertile countries in the north of Europe from increasing their stock both in regard to corn and cattle was the uncertainty of the market, and now that the market of England would be a certain one, there could be no doubt but that their stock of cattle and their importations to this country would increase. Let them take the case of wool. In Prussia, in 1816, the number of merino sheep was only three millions, and in 1837 these had increased to nearly eleven millions—so that in twenty years there had been an increase of eight millions in this kind of stock. Could any one believe that if there was a more lucrative mode of applying capital that sheep and other stock would not increase in a still greater ratio? In almost every town on the continent there was already a colony of English labourers, and some manufactures carried on with English capital, and a number of English establishments would spring up on the opposite coasts, in order that our traders might purchase provisions and bring them to our markets, that also with English capital. There was another thing which ought to be recollected, which was, that in the consideration of this subject they ought to consider not merely the retail prices at which meat could be sold in towns, but the wholesale price at which it could be exported. The right hon. Gentleman in his calculations took his prices exclusively from the great towns, such as Hamburgh. It was rather the smaller towns that he should have taken, which was the opinion of Mr. Meek. He, however, believed that meat would come not only from Hamburgh and such large cities, but from the small towns and ports, and from the many navigable firths, channels and bays that indented the coast. The cattle dealers would, as a matter of course, go to those places. It was for their interest to purchase where they could buy the cheapest. An hon. Gentleman had given the House some account of the prices which prevailed in other countries. Perhaps he might be allowed to state what those prices were, in Denmark by putting the weight of the animal into English stones. He found that at Kiel, the price of an ox of 600lbs., that was 3 stone of 14lb. to the stone, was only 7*l.* He found that the prices of sheep were from 4*s.* to 20*s.* weighing 80 lbs. In Elsinore he found that beef was 20*s.* to 26*s.* per cwt., something more than 2*d.* but less than 3*d.* a pound. In the towns of Prussia and in Bremen it was nearly the same. The right hon. Gentleman stated, that fears had been expressed that beef would be brought over to this country from Hamburgh at 3*d.* a pound, and said that this fear was unfounded, as the price then was 6*d.* per lb.; but according to Mr. Meek, the retail price of beef at Hamburgh was 3½*d.* per pound. But it was argued, that the distance would act as a prevention to the cattle coming over; but did not hon. Gentlemen know that cattle came from the north of Scotland, a distance of 700 or 800 miles? Then it was said that the sea voyage would be a preventative; but were not great quantities of cattle brought from Ireland? He believed that Lancashire was almost entirely supplied from Ireland, with fat cattle also. Either these things would have an effect or they would not—if no effect, why make them? The hon. Baronet stated, he wished to make living cheaper; but yet his measures would not injure but benefit agriculture. But it was as impossible to have cheap provisions without low prices, as a game at whist, where all was to win. But it had been said, it would only lower meat 1*d.* per lb. If a grazier made 5*l.* by a beast, he had out of that to pay rents, rates and casualties, and make a profit. Now 1*d.* per lb. in a beast of 40 stone of 14 lbs. was 2*l.* 6*s.* 8*d.* or nearly all his profit. All the advantage was to be on one side—all the disadvantages on the other. Let them look at the case of the shipowners. They secured to them a monopoly of the coasting and colonial trade, and at the same time reduced the price of timber, benefitting the shipping interest to the extent of 600,000*l.*, and leaving monopoly untouched. The protections given to the woollen, silk, and cotton trade were all in like manner untouched and he might state many other cases in point. The free-trade principles of hon. Gentlemen were, protection for themselves and free-trade for all the world else. Thanking the House, therefore, for the kind attention they had given him, he should conclude by expressing his intention to give his vote in favour of the proposition of the hon. Member for East Somerset.

Mr. *Gladstone* said, the hon. Gentleman who had just sat down, had directly ascribed to the measure of the Government, that whilst agriculture would suffer all the depreciations it occasioned, trade and commerce would reap the exclusive benefit of all its advantages. Into this argument he thought he need not enter; indeed, he might even venture to leave it to the Friends of the hon. Member—to those who sat opposite and around him—he might leave it to them to settle with him that part of the account. But whilst he would refrain from going over such reasoning, the fact of its being used in support of this motion was not to prevent him from entering seriously into the principle of the question before the House. It was, he admitted, a question of great importance, and being of such importance he must say that he highly approved of the moderation of tone in which it had been brought forward by the hon. Mover, the Member for East Somerset, and by the hon. Seconder the representative of Berkshire; and further, he would say, that he thought nothing could be more fair, than the statement of the first of those hon. Gentlemen of the objects, important as they were, which he and others who agreed with him had in view. The hon. Gentleman said, that what they desired was the maintenance of such a moderate protective duty as would enable the British agriculturists to compete with the foreigner. He was sure that all who heard him, even those who were the most fully prepared to act with the hon. Member, were persuaded that the Government had also that object in view, and that they would disbelieve the imputation that these changes were arranged in such a manner as not so to place the interests—the vital and important interests—of the British farmer. But when he said this, he would also beg to repeat an opinion which he had before expressed in that House, that those Gentlemen who were the ornaments of what he might call the science of agriculture did not always cherish a sense of the benefits derived from the skill and enterprise applied to it, but were rather inclined to rely over much on the so-termed protection of legislative enactments. This was his opinion of their views; with regard to his own, let him preface what he had to say by remarking, that he would be the last man in that House to vote for anything that he really believed to be injurious to the interests of the British farmer, for although he did not like, and was always loth to draw any distinction between classes, yet he must say that if any class was entitled to a greater degree of protection than another, it was that class by whose labour and industry we were supplied with the chiefest necessaries of our subsistence. The right hon. Baronet at the head of the Government would have failed in his duty had he proposed less by this measure than the fair degree of protection requisite for enabling the farmer to enter into competition with foreign producers; and so sure was he that in many points the protection already existing would by the new measure be rather augmented than reduced, that he might say he thought it a subject of regret that this measure had not been introduced long ago, instead of being now for the first time submitted to the attention of the House. In bringing forward this motion, the hon. Member for East Somerset had said something as to the alarm which existed among agriculturists upon this subject, and the hon. Gentleman who had just sat down, had also referred to the depression which agricultural interests were said to have undergone since the publication of the new scale of duties. Now, with respect to any depreciation which might have occurred in the price of the article of meat, it was a fact worthy of notice, that depression had taken place quite as much on articles concerning which alarm did not prevail, as on articles which it was feared would be greatly lowered in price by the contemplated alterations.

An hon. Member had said in the course of the debate that he did not at all fear any fall in mutton. Now, the fall in the price of mutton at the present time was as great as that in the price of beef, and this was a fact which he thought he was entitled to take as a proof that it was not the publication of the tariff that invariably caused the reduction in prices. But let the House remember, that this reduction was by no means so general as they had been taught to believe. What were the accounts they received from districts and places in which fairs had been recently holden? He held in his hand an account of three different fairs held in different parts of Ireland, and he must say, that referring to this document, and then comparing the speeches of the two hon. Members for West Sussex, there was, as it seemed to him, very conclusive evidence that the view taken by the first of these hon. Members was the more correct. He would first read them the account given of the sales at the Carlow May fair:—

"The above fair, which is one generally of great importance to graziers at this season, was held on Wednesday, and was very numerously attended. Contrary to expectation, it was a good one, as stock realized remunerating prices, although many were naturally apprehensive that the contemplated changes would operate injuriously to the holders of stock at the present moment. There were some refreshing showers previous to the fair-day, which were useful, and tended to increase the value and the demand for young stock. On the whole, extensive graziers and experienced farmers have expressed themselves abundantly satisfied with the result of Wednesday's market, as a further proof of the groundless nature of the rumour that Sir Robert Peel's measures would be immediately felt in the Irish provision-market."

Then the account went on to give particulars of the sales of cattle:—

"Of fat cattle there was a fair show, and sold well. Mr. P. Tomelin, Colonel Bruen's steward, got forty-six guineas for two oxen in prime condition; he also sold one lot of sheep at 3*l*., and a second lot at about 57*s*. each. Milch cows sold well, and were in good demand. Young stock were low, and were not in good condition. Dry cattle sold well. Mr. Bolton, of the Island, sold two lots—the one at 10 guineas, and the other at 10*l*. 17*s*. 6*d*. each. Two-year-old bullocks not in demand; but yearlings averaged from 4*l*. to 5*l*.; and three-year-old bullocks from 11*l*. to 13*l*. each."

Here was an account of the fair at Clonmel:—

"Our fair this day was well attended, and cattle were in good demand, and remunerating prices given. Fat cows brought from 10*l*. to 12*l*.; in calf heifers, 8*l*. 10*s*. to 9*l*.; strippers, from 6*l*. to 7*l*.; heifers, 5*l*. to 6*l*.; yearlings, 3*l*. 10*s*. to 4*l*. 10*s*. A bullock, the property of Mr. John Bagwell, of Marlfield, brought 21*l*. 10*s*. Four bullocks, the property of the Earl of Glengall, brought 16*l*. each. Fat wethers brought from 2*l*. to 2*l*. 2*s*. 6*d*.; ewes, 35*s*. to 39*s*.; lambs, 17*s*. 6*d*. to 22*s*."

The next extract he would read was an account of the sales at the Waterford May fair:—

"On Wednesday, there was a good supply of horned cattle, with a fair demand at remunerating prices. Sheep and lambs sold pretty well."

He hoped, that with regard to the alarm stated to prevail on these subjects, these extracts would convey some comfort to those who were now filled with fear and trembling; but, as he before said, he did not think that degree of alarm was by any means so great as was represented, though, let it be what it might, he did say, that an alarm on the part of those who possessed no better means than the Government of judging of the capabilities of foreigners, ought not to be permitted by the House to be made a cardinal rule for the guidance of their legislative proceedings. The hon. Mover of this resolution deserved credit for much ingenuity and for much excellence of argument, but he claimed credit to himself for one result which he could not say he thought the hon. Member had attained. He referred to the intelligibility of the hon. Gentleman's motion, and he must say, that that resolution did appear to him to be very conveniently obscure in a most material point connected with the subject. Let him ask what was the hon. Gentleman's intention with regard to the amount of duty to be taken by weight? Was it to be 8*s*., 1*s*. 6*d*., or 1*s*., or 6*d*. per cwt.? He apprehended it would be, to say the least, a wretched consolation to the hon. Member and his friends were the Government to offer a duty of 1*s*. per cwt. in lieu of that proposed under the new tariff, and with a view only to the gratification of the hon. Member's partiality for a duty to be taken by weight. Some hon. Gentlemen appeared to think that no such rate of duty would be contemplated. Of course, he had no means of knowing at what point the hon. Member intended to fix his duty, but he apprehended, he would put it at 4*s*. or 5*s*. a cwt. Now, then, a word or two upon that point. He admitted, that theoretical accuracy—if he might so express himself—might be best attained by taking the duty by weight. They might under that system attain a more perfect knowledge of the class of animal admitted; but this was a question of convenience as contrasted with that of greater accuracy, and they were to choose between the advantages of that convenience, and the advantages of a more precise adjustment. It was clear, that other countries had already decided the question in favour of the most convenient arrangement. Animals appeared rated on the tariffs of most other nations; but he did not know of one solitary case in which the duty was leviable upon the weight of the animal. In every case the rate of duty was taken per head, and there were, he thought, many means of accounting for this uniformity. In the first place, some difficulties might arise in defining what animals were imported as articles of food, or for the purpose of breeding. They must also have weighing machines. What he meant to say was, that they must have a weighing apparatus constructed for the purpose of taking the weight of these animals at particular parts of docks or quays, at which particular docks or quays, vessels laden with these animals must discharge their cargoes, or else cause great inconvenience to other vessels in the same port. All these delays would be annoying and expensive. [*Laughter.*] They might laugh, and think that of trivial moment, but time had its price in all mercantile transactions, and although he was far from saying, that inconveniences like these might not be overruled when there were material advantages to be gained by resorting to such expedients, yet, where no such effects were clearly apparent, all such inconveniences must be looked on as material disadvantages and as greatly detracting from the value of any particular system. He now proceeded to the argument of the hon. Member for Somersetshire, who had referred to the duty on spring corn, and the difference between the duty on live animals and dead meat. His hon. Friend said that the duty on dead meat was worse than that on spring corn, and the duty on live animals worse than that on meat. Now he must say, that he was prepared to contend that the duty of 1*l.* was a fair duty on live meat; and saying this he did not admit that there was such a discrepancy between that and the other duties to which his hon. Friend had alluded, and on which he insisted. He did not then go into the difference between the duty on corn and the duty on meat; but then there was not the discrepancy that was supposed between the 8*s.* on dead meat, and the duty to be levied on oxen. The duty levied on oxen covered the lean and fat. Now, if it were the case that the home grower was likely to be overwhelmed by the foreign grower, a fair case would be made out for making a distinction between lean and fat cattle. It would, he thought, in such a case, be perfectly fair and reasonable to do this. He took the case on which his hon. Friend relied as a test for the fitness of what was proposed, and he argued that the duty of 1*l.* on a fat ox was not out of proportion with the 8*s.* duty on meat imported dead. There were several points of great importance connected with this branch of the subject, which they would do well not to overlook. Four reasons particularly struck him why a higher duty should be imposed on dead meat than on live cattle, and two of those reasons, being those of the least importance, he would at once state to the House. In the first place, there being a higher rate of insurance on live cattle, necessary to cover the greater risk of transit, the dead meat being likewise prepared for the table and arrived at what he might call its ultimate stage of manufacture, the last state at which labour was expended on it, it ought, as he thought, to be subjected to a somewhat higher rate of duty. Thus, then, it would seem that the apparent difference in the duties would be equalized by the difference of trade in the two articles, for it would be found upon inquiring that the importation of dead meat from Scotland into this country was much larger than that of live cattle. To show how the duty and charges on live cattle and dead meat would operate he would suppose that the expenses attendant on the importation of cattle from Hamburgh was the same as was the duty on cattle imported from Aberdeen, though in reality it was somewhat higher in the former case. The expenses of importing live cattle from Hamburgh would then be 2*l.* 4*s.* or 2*l.* 5*s.* for an ox weighing about six cwt. He would not take cattle of an enormous size, which would perplex the calculation. Adding to the 2*l.* 5*s.* for freight and expenses the proposed duty of 1*l.*, it would make the whole 3*l.* 5*s.* Dead meat could be imported from Hamburgh at the rate of 1*l.* freight for six cwt., and with the proposed duty the difference of the expenses between the two would be as 3*l.* 6*s.* to 3*l.* 10*s.*, and this difference would soon be equalized by the different amounts of the quantities imported. There was another distinction which should also be taken into account in all calculations upon this subject. It should be remembered that the carcass was not of uniform value in all its parts. Some parts were ordinary, whilst others were fine. About one-third part of the carcass might be estimated at about 25 per cent. above the average. If the cattle were imported alive from Hamburgh the whole would cut up as average meat, but if dead meat were imported, there was no doubt the importations would consist of the primest pieces. It was true, that in hot weather little or nothing would be done in the way of importing dead meat; but at other times it could come ready dressed for the table in forty-eight hours, and the importer would forward the prime pieces, keeping the coarser parts for the lower consumers in his own country. Thus, if an ox worth 16*l.* were imported, paying 3*l.* 6*s.* for freight and duty, there would be an addition of 22 per cent. on the value, whilst six cwt. of picked meat, worth 20 per cent. more than the other, costing 18*l.* in the market, would only pay 19½ freight and duty on the price, whilst the live stock paid 22 per cent. Leaving, however, the subject of relative duties, he would say, that in his opinion the duty of 1*l.* per head on live stock was quite as much as it ought to be. In considering this subject, it would be necessary to revert to the important question of the increase which had taken place in the price of meat in this country. It was said that his right hon. Friend, in proposing the tariff, went no further back than 1835; but even if he had gone further back a still stronger case could have been made out. It was true that in 1832 and in 1833 the prices were higher than in 1835 and 1836, but they were lower than the prices of 1838, 1839, 1840, and 1841. He had before him a return of the number of sheep and horned cattle sold at the great October fairs of Dunlo and Ballinasloe from the year 1790 to 1841. The oxen in the list were divided into four classes, and he would give the results of 1830 and 1841. In 1830 the first class oxen were 11*l.*, and in 1841 they were 18*l.* The second class in 1830 were 9*l.* 10*s.*, and in 1841 they were 17*l.* The third class in 1830 were 7*l.* 10*s.*, and in 1840 they were 14*l.* 10*s.*; and the fourth class in the former period were 6*l.*, whilst in the latter they were 11*l.* Now, it could not be contended that even in 1830 meat was at an extraordinary low price in these countries. The returns from the Poor-law unions would also serve to show the progress of increase, and he had a list of contracts for several unions in Cornwall, Cumberland, Lincoln, Norfolk, and Yorkshire, with which he should not, however, trespass on the House. The effect upon prices was different in different parts of the country in the degree that facilities of communication were afforded. Formerly, in different parts of the country there were different prices of meat; but since the immense facilities of communication had taken place, they had caused that difference to disappear. Before there was an access to the great markets, the prices of meat in remote districts were very much lower than they were at present. This was an important item with them, in considering the change now proposed in the tariff. He had heard Gentlemen from remote districts say, that where the price was 4*d.* or 5*d.*, it was now 6*d.* and 7*d.* If that were so, was it not, he asked, a serious grievance? If there had been such a rise in the price of meat, must it not have materially tended to restrict the comforts of the people. He believed in London, or as his hon. Friend had quoted Greenwich, the prices had remained pretty equal, and yet in some of the large markets the prices had altered considerably. There had been a great rise in price in Liverpool, although it received the great bulk of that immense supply of provisions that came from Ireland. In Liverpool the price of butcher's meat had, in the last ten years, risen 1*d.* or 1½*d.* the pound. In such a case some measure was imperatively called for which would check an increase in the price—which would prevent meat from becoming still more dear. Another question must be considered. An hon. Gentleman had spoken wisely, when he said it was necessary for Government to look to the future. Had they not then a rapidly increasing population, and was it not necessary that proper provisions should be made to meet the wants of a rapidly increasing population? Was there any probability of providing for the increase from their own markets? He wished he could persuade himself that there was a chance of a larger importation of cattle than experience would prove it to be the case. There was no cause for apprehension. He doubted that they would be able to do much more than provide for the increase of the population of the country. He came now to the question as to the increase of the population; but he wished first to consider where was the supply to come from? He had heard agricultural Gentlemen say, that they did not mind a decrease in the price of 1*d.* in the pound, but a decrease of 2*d.* or 2½*d.* they looked to with dread. He did believe they had no such ground for apprehension. He even believed, that if they laid on no duty at all upon the importation of foreign cattle, yet they might have no fear for any such reduction in the price. He wished, however, to put no hypothetical case as to the freedom of trade—as to that which they did not propose to establish. He must say, with great deference towards the judgment of those who entertained the notion, that there could not be anything more visionary than that there would be a reduction of 2*d.* or 2½*d.* through the operation of the tariff. A great fallacy ran through the argument of his hon. Friend. He took the market price of Kiel, and forgot that it was British demand that was to be supplied. The second fallacy was this, that he overlooked a very material element in the calculation; for, unless he could show that a large quantity could be imported, the British farmer had nothing to fear. What, he asked, was the consumption of the country, respecting which so much was apprehended? The consumption of oxen in London was 200,000 head in the year, and in the whole country 1,600,000 head of oxen. What effect could a small number of foreign cattle have upon such a mass as this? His hon. Friend had swelled his figures when he talked of imports from France and Belgium. From France the exports to other countries were cows, and largely; and the exports from Belgium consisted, in a considerable degree, of calves. They were, then, not to expect a supply from France. They there saw the effect of high prices, and diminished consumption. As to Belgium, there was no chance of exports of cattle from that country. The same thing was taking place in Brussels as in Paris—a continual rise in the price, and continued diminution in the consumption. As to the German union, they had little to fear from that, which was rather an importing and not an exporting country. His hon. Friend had then proposed the Baltic; but then, he asked, did his hon. Friend entertain any serious apprehensions as to the importation of live cattle from the Baltic? Was it to be supposed that they could have a considerable import of cattle, with the long voyage from the Baltic? Let them take Ireland as an example—or let them look to Scotland, and though no duty was imposed, yet for the sake of convenience, it preferred sending dead meat to live cattle by a long sea voyage. Ireland did not send any of her cattle by a long voyage. All the cattle from that country came by the nearest ports. The expences then and charges on the import of cattle from the Baltic would be such that they need have no apprehensions on the matter. Again, he said he should be glad to hear what was the calculation of his hon. Friend as to the number of cattle that was likely to come from the Baltic. Looking at Europe, he could not see where they were to get a supply of animals. He wished his hon. Friend in the course of his speech had given his own estimate of the probable importation from the continent of horned cattle in the next five years. He had, indeed, seen a statement in the newspapers, in which was mathematically proved what the consequences of this change would be. It was there stated that 100 sows in three or five years would give birth to 232,000,000 pigs. Calculations of that kind were as rational and as wise as many of the objections that were made to this proposition; but they ought not to be made the basis of a serious opposition. He wished Gentlemen, like his hon. Friend, would seriously attempt to draw their own conclusions and their own estimates as to the number of horned cattle that might be expected to come into this country in the course of five years. It was not in that House he had heard it, but he found this to be stated on the authority of our agriculturists, that in five years there would be an importation of 80,000 head per annum. At present there were not 30,000 head disposable. Let them take it, then, as it was supposed —that in five years the import of foreign cattle from the continent would be 86,000 horned cattle. Now, if that were a fair calculation, he would be glad to know if it would do more than provide for the increase in the population? A calculation had been made as to the consumption of animal food per head in this country. The amount was about fifty pound per head annually. He assumed that the half of the meat consumed was beef. The consumption then of beef was 25 per cent. Looking to the increase of the population in this country, as it had been for the last ten years, they found it to increase 227,000 souls a-year. If the population continued thus to increase for the next five years, as it had done for the last ten years, they might prove by arithmetic, that in order to keep the price of meat down to what it was at present — to prevent its rising farther, not to reduce it—they ought, by giving the same amount of supply that they now had, to have for their increasing population 80,000 head of cattle. Where, then, was there the rational ground for supposing, they would be overwhelmed by any importation of foreign cattle. Hence they found, that there were but 16,000 head of cattle to supply the present demand. They next saw, that the prices of meat showed a rise, considerably on the increase, for the last ten or twelve years. In his opinion, they required a greater supply than any they could anticipate to receive from the continent. It was under these circumstances, that he conceived no ground had been laid for the apprehensions expressed by his hon. Friend. Nothing could be more fallacious than showing the difference of the expenses in Denmark and in this country in the rearing of cattle. In that, as in all other cases, the expenses of production were greater here than abroad. What enabled them to compete with others? Their capital, their natural wealth, and their industrious population. They were enabled to stand on an equality with the whole world, notwithstanding their heavy debt and their serious difficulties. Despite of these, they were able to contend against the whole world. The consideration as to the cost of production here, as compared with other countries, was one that was important at all times to regard; but still that must be received with great qualification, because without that qualification, it would go to prove, that the proper course for that House to pursue, would not be to lower protecting duties, but to double them, and to banish from their shores the trade of the whole world. Then his hon. Friend had referred to salted provisions from America. They could be had from 20*s*. to 25*s*. at New Orleans the two cwt., it was said by his hon. Friend; and they could be brought here for duty and all at about 2*l*. 4*s*. or 5*s*. [Mr. *Miles* stated that was of one description.] If the positions of his hon. Friend were correct, the American salted meat could, even with the present duty, have undersold that both of Hamburgh and Ireland. Why did it not do so? The beef of Canada was to be had at Liverpool, under the name of Indian beef, for 2*l*. or 2*l*. 4*s*. the three cwt., that was about 2*d*. the pound. It could be sold for half the usual price of Indian beef. And yet the salted beef of Canada for 3*l*. to 5*l*. was neglected in bond, and Irish beef at 8*l*. was taken in preference. Why so; because of the superior quality of the Irish meat. His hon. Friend, the Mover of the resolutions before the committee, did not look to the inferiority of the productive powers of the continent as compared with the—he would not say with the soil—but with the capital expended, the skill shown, the energy and perseverance of the British agriculturist. He would refer to a case in point, which had been already, he believed, brought before the notice of the House. Why were horses bred to such an extent in England, instead of being imported from the continent? The importation of horses for the last year, was only about 300, while the House was perfectly aware, that our exportation amounted to upwards of 4,000 or 5,000. Now, why did they not buy cheap continental horses? They would say that the breed was inferior. But when they said so, did they not remember, that the breed of cattle was also of an inferior description? But you might say, "when there is a demand, the breed will be improved." But why have they not improved their horses? They have had the opportunity, the means of doing so. Horses bore a high price in this country, and if they looked to Mr. Meek's report, they would find, that upon the continent, horses might be had at such prices as would justify hon. Members in saying, that they might be imported into this country, pay the duty of 1*l*. per head, and after all undersell the British breeder. Such might be the case, but yet it was not so. And were not those facts—was not the experience which they had had, better than a great deal of speculation? The cause which excluded French horses, was the operation of the superiority of English producers, and to that they might safely trust, as to the introduction of cattle. Again, he repeated, that although a large importation of cattle would be desirable to meet the wants of the increasing numbers of our population, yet that it appeared to him to be chimerical to imagine that a very great reduction in price would take place. He would not venture to state any point of price as that likely under the operation of the tariff to be attained, but he repeated, that no great reduction was likely to ensue. There was one other point which he would notice before sitting down, and that was, that some hon. Gentlemen seemed to think, that if the operation of the tariff would only be to give rise to a small importation of cattle, what was the use of altering the law at all? He had heard hon. Gentlemen say—"Why interfere? Why not leave the matter to the natural operation of supply and demand?" But it was the violent interference of the existing system with the natural operations of supply and demand, which made it desirable that that system should undergo some modification. It did not follow, that because the operation of the tariff would be only to produce a moderate importation, that they were to consider the benefit of the change as measured by the actual reduction of prices. Suppose that 50,000 head of cattle were to be annually imported, such importation would produce but a small effect upon the prices of meat, but it would create an import trade to the amount of half a million of money—a trade which, in its nature, would lead by a smooth, certain course of operation, to an export trade in return, of an equal amount; which would contribute—he did not say in a moment, but in the course of years—to an increased demand for employment and labour. The proposition was a safe one; the benefit to the country would be large, and the reduction of prices to the consumer, whatever that reduction would amount to, would be also beneficial. That reduction would be moderate—it would be within the limits which the friends of agriculture—the best friends of agriculture—had declared, that they could incur reduction of price without apprehension. The benefit the proposed change would confer upon trade would be considerable, and the grounds upon which it had been opposed, the fears which had been raised as to its application, he contended were not justified by the circumstances of the case.

Dr. *Bowring* entered into a number of statistical details, to prove the effects of restrictive duties upon meat on the continent. The increase of price had always produced a diminution of consumption, and a deterioration in the quality of the food consumed. He believed that the measures of the right hon. Baronet, the First Lord of the Treasury, though not carried out to the extent to which he could wish, would yet be productive of substantial good, and were loudly called for by the necessities of the country. Although there was no part of Europe capable of sending a great quantity of cattle to this country, yet the effect of the tariff would be to produce a constant tendency towards the importation of cattle. But the measure was more important as abolishing the last great opprobrium in the existing tariff—prohibitory duties. Those who had advocated the interests of trade and manufactures had been continually met with fragments of the old prohibitory system, and the utter abolition of that system did honour to the Government, and he hoped that still greater effect would be given to those excellent and truly commercial principles, which were at last to be found, not only in the words of Government, but were to be traced in its actions.

Lord *Norreys* said, that when he first heard the announcement of the plan of the right hon. Baronet at the head of her Majesty's Government, that announcement had certainly struck him with some alarm, but that feeling had in a great degree been dissipated by the language he had heard made use of out of the House. He had often been met by Gentlemen, who said there certainly existed a panic in the country, but that the farmers were wrong; they should have opposed the alteration in the Corn-laws; but as their representatives had voted for the Corn-bill, such was the panic among agriculturists, that they must have some good agricultural division, in order to satisfy the farmers. He had heard it said, "You can vote for the motion now before the House—you will do no harm—it can't be carried—Government are safe. You may do as you please, and satisfy your constituents without injuring the Government." But was not such language merely throwing dust in the eyes of the farmers, to vote for a resolution which they knew could not be carried—which they did not intend should be carried? He would only say, that he would not stoop to be a party to any such course. He thought that the alarm which prevailed was perfectly groundless, and he would give his unflinching opposition to the resolution moved by the hon. Member for Somersetshire.

Mr. *H. Gally Knight:* I am anxious to say a few words in explanation of the vote which it is my intention to give, because

I feel myself placed in an embarrassing situation; for, independent of all interested considerations, by which, I trust, I should never be actuated, it is far from agreeable even to seem to be indifferent to the opinions and wishes of many for whom I entertain the most sincere respect and esteem. But, upon the present occasion, what course is it my duty to take? If, after having given my best attention to this subject, and listened attentively to the luminous, and, as it appears to me, conclusive speech of my hon. Friend, the Vice-President of the Board of Trade, I cannot help being of opinion, that the panic with respect to live cattle is entirely groundless, shall I best serve my agricultural friends by encouraging impressions which I believe to be erroneous, by contributing, so far as in me lies, to keep the panic alive, or by telling them, that so far as I am able to form an opinion, there is no necessity for any alarm. It appears to me, that so far as lean cattle are concerned, not only is there nothing to be apprehended from an increased supply, but that an increased supply would be a great advantage, could we obtain it. It is our duty to supply the people with food as cheaply as we can, as cheaply as is compatible with no great disturbance of agricultural labour. It is our duty to provide for our rapidly increasing population; and, when we see by the example of the increased supply from Scotland and Ireland, how little effect such an increase has upon price, we need not apprehend that any such further increase as is likely to take place, would be injurious to the English farmer. Why, then, the doubt confines itself to the consideration of fat cattle. But from whence are these fat cattle to come? I mean in any such abundance as would be injurious to the agricultural interest. They cannot come in any quantity from the neighbouring countries—not from France, from Belgium, or Holland, because the supply in those countries, is greatly inferior to the demand. But, then, we are to be inundated from Holstein. Fat bulls from Holstein encompass us on every side. Yet the Vice-President of the Board of Trade has told us, that the annual consumption in Great Britain is nearly 1,600,000 head of cattle, whilst the greatest number that Holstein has ever exported in any one year does not exceed 27,000; and Holstein has, also, to supply the large town of Hamburgh in its immediate vicinity. What have we then to fear from Holstein? and if cattle are comparatively cheap in that country at present, is it not certain that the price must increase with the demand? We must look for a larger area; but, if we turn to France, what is the state of their agriculture, what is the quality of their stock? They have nothing wherewith to fatten, and nothing that can be fattened. Who, that ever was in France, and has seen their lean oxen, and their frightful pigs, and tasted their detestable mutton, who can pretend to be alarmed at the prospect of such a competition? What, be terrified at a nation that can hardly get up one half-fed beast in a year, to represent a fat animal at their national feast of Mardi-Gras? Have we forgotten every thing in our alarms? Have we forgotten our own superior breed? our own short-horns? The time, the pains, the expense, which it has taken to obtain them? Have we forgotten the gibes which our forefathers used to pass on the food of our neighbours? The land of soup-meagre and frogs—the land where the meat is so inferior that they dare not exhibit it in the shape of a joint? Have we forgotten that picture of Hogarth, in which an English Sir-loin is making its entrance into Calais, and exciting mingled emotions of surprise and admiration? In respect of agriculture and the breed of cattle, there is no great change in France, between those times and these—and abundant indeed must be the application of capital, and protracted must be the lapse of time, before any such change can be effected in that country as would be prejudicial to this. I cannot think that there are any just grounds for our apprehensions. I feel assured, that the roast beef of old England, like her own flag, which has braved the battle and the breeze for a thousand years, will continue to maintain its supremacy—and that neither of them will ever fare the worse for foreign competition. Entertaining these sentiments, I think it would be wrong in me to support this motion—first, because, in so doing, I should encourage erroneous opinions; and, secondly, because, in so doing, I should be acting most unfairly by the right hon. Baronet, who is the author of the new tariff. I should induce the agriculturists to think him less their friend than he really is; and, when he is labouring hard, as I believe him to be, to promote their welfare, as well as that of others, it does appear to me that he does not deserve such a return at our hands. My belief is, that the right hon. Baronet is no less the friend of the agricultural interest than of the manufacturing—my belief is, that he has done his best fairly to adjust the claims of the two great interests in this country—that his intention is to continue to deal fairly by both—and my belief is, that when all his measures shall have come into operation, both will find that they have been taken care of. I am aware that, in declaring these opinions, I shall incur the ridicule of Gentlemen opposite, for being, what they tell me I am, so complete a gull. They will tell me that the right hon. Baronet is getting in the narrow end of the wedge, as his agricultural friends will find to their cost; that he will throw them over as soon as he can, and sink them, with the most perfect indifference, beneath the billows of free-trade. I can only say that "I will not entertain so base a thought." Even if such were his intentions, shall I not make it more difficult for him to use me ill by giving him my frank support, by embarrassing him with my faithful allegiance, than if I were to afford him the pretext of a senseless and vexatious opposition? But, because the right hon. Baronet adopts the principles of free-trade, why am I to conclude that he will push them to objectionable extremities? There may be some risk in the introduction of the narrow end of the wedge—but I have learnt by experience that there is much more risk in nailing down the safety-valve. No destruction is so complete as that which must result from such infatuation. I am persuaded that the right hon. Baronet, adopting the principles of free-trade, taking them for his compass and his guide, will carry them out with caution, with moderation; will carry them out as far as is for the good of the whole community, and no farther. He is not the man to be wheedled by cajoleries, or dazzled even by the bright visions which have been held up to him by Gentlemen opposite, into a reckless or imprudent course. In the present state of the world, nothing can be more absurd than to say that if you once acknowledge the truth of principles, you are bound to carry them out to their utmost extent. There are no more dangerous men in the world than your purists. We all know who said, "Perish thousands, and carry out your principle"—and to what that sentiment led. If we were starting afresh, it might be all very well; but, in the present state of society, interests have grown up, which cannot be overlooked without doing more harm than good. I am persuaded that the right hon. Baronet will only go as far as is for the interest of all, and so far I am willing, and desirous, to go with him. And, when Gentlemen opposite taunt us agriculturists with our sudden conversion to the doctrines of free-trade, I beg leave to inform them, that it was not of these doctrines we were afraid but of Radicalism—of the strict alliance with men of extreme opinions; of the perpetual nibbling and pecking at the main support of the Constitution and the Throne; of the lax manner in which the reins of Government were held. It was not about coffee or sugar that we were anxious; any particular measures—any minor considerations; but about the whole form of Government, and the whole structure of society. And much more reason should we have to be afraid, if, by any injudicious destruction of the measures of the right hon. Baronet, we should pave the way for the return to power of the last Administration. Then, indeed, would they ride rough-shod over us agriculturists—then, indeed, would they leave the marks of their heavy hoofs upon the broken heads of clay. I will never knowingly consent to any thing which would, in any great degree, disturb the agricultural labourers of this country. I see the difficulties of providing for, and of governing, our large manufacturing masses. I do not believe in the possibility of indefinitely extending the limits of foreign demand. I cannot, therefore, think it would be advisable to convert any great number of agricultural labourers into operatives. By so doing, we should not cure the distress, but augment it. But in whatever way trade can be relieved, short of producing such a change as that to which I have alluded, I think it should be relieved. The alterations proposed by the new tariff are calculated to have this effect; and feeling sure that no injury will be done to the agricultural interest, I am not inclined to interfere with the tariff by supporting the motion which is now before the House.

Lord *Alford* was understood to say, that he differed from the principles embodied in the resolution of the hon. Member for Somersetshire.

Mr. *W. O. Stanley* thought, that if the measure of Government had been known at the late election, the result would have been different from that which it had turned out. He would maintain his formerly expressed opinion, that the agriculturists required certain protection; and he thought that the measures of the Ministry did not give them the amount of protection to which they were entitled. These measures had not been founded upon fair principles. If they were, he would give them his support; but, limited in extent and scope as they were, he could not support them. What with the Income-tax, the new Corn-law, and the tariff, the landed interest would be very hardly pressed. At first, they might not feel the effects of the tariff in the importation of cattle, but many years would not pass until they would be introduced in great numbers. He thought, on the aggregate, the right hon. Gentleman's measures would be productive of good. The hon. Gentlemen opposite had spoken of the poor breed of pigs on the continent. But let them see what the effect of opening a market for Irish produce had been. They now brought into this country as fine cattle as could be procured.

Lord *J. Russell:* I really hardly know, from what has fallen from the different Members in the course of this debate, what is really intended by the proposition submitted to us. The noble Lord, the Member for Oxfordshire told us, that he was asked to support this proposition as a good means of pleasing the farmer without any likelihood of its being carried or of damaging the Government. I thought that must be a singular notion. But my hon. Friend the Member for the county of Nottingham made a statement more startling still. He says, that the opinions of the present Ministers and their party never differed from those of the other side, but that when they voted on coffee and sugar they did not mean coffee and sugar, but they meant Radicalism. Now, how a plain man is to deal with this proposition after such announcements I am very much at a loss to determine. I own, likewise, that the propositions of the supporters and opposers of the motion have surprised me during the discussions on the previous and on the present occasion. I should have thought that those who came forward to propose, that cattle should be admitted at a moderate fixed duty, would have endeavoured to show that great benefit would accrue from that importation taking place, and that the labouring classes of this country might procure at a cheaper rate more animal food—their welfare being, of course, proportionably promoted. I quite expected, also, that the other side would have shown the fallacy of supposing that the supply which was predicted could be relied on; that it was a mistake to think that any of the countries on the continent could give us a large quantity of provisions, and that the price of meat would substantially remain the same after this act became law. But, in point of fact, the arguments of the two parties are the reverse of what I have stated. Those who oppose the motion come forward to show that the comforts of the people will be increased; that the price of subsistence will be lowered; while, on the other hand, it is contended that no such difference will arise from the passing of this tariff. I must confess, if I could believe all the statements of the hon. Member for Somersetshire (Mr. Miles), his I should take to be the ablest and most convincing speech in favour of the proposition of the Government. He says,

> "Certain countries will become dépôts for the fattening of cattle, which they can do by reason of their abundance of corn, and send them over at a moderate price; that this meat could be had at 4½*d.* a lb.; and that the grosser parts being got rid of, the people will secure a better article at a cheaper rate."

If that is the case, let us by all means adopt the proposition. What are we sitting here for? Are we sitting here to prevent the people from having cheap food? Are we here for the purpose of contriving, by our legislation, that the labouring population should be compelled to purchase meat at 7*d.*, when they might have it at 4½*d.*? I hope the wisdom of Parliament does not consist in adoping any such mischievous and injurious course. I hope, should the House be persuaded that the hon. Gentleman is right in his supposition, that they would at once agree to the proposal now laid before us by the Government. I am afraid, however, that the hon. Gentleman will not be able to make out that case, because I think the statements of the right hon. Gentleman, the First Lord of the Treasury, on a former night, and those of the right hon. the President of the Board of Trade to-night, are far better founded, from which the deduction may be drawn, that when we consider the countries on the continent from which our present supply comes, if that supply should reach the increase of 30,000 in the course of a year or two, it will be the utmost we can depend on. Therefore, any material fall in the price of the subsistence of the people cannot be rationally expected. I very much lament this. It is a great misfortune, and it would be, in my mind, a great recommendation of the proposition of the Government, if such a supply could be expected. I think, perhaps, at some time hence, there may be a greater supply, and the people at less cost may have a better kind of food. I do hope (I really think the right hon. Gentleman could not have meant otherwise) that the consequence of our legislation will be, that the labouring classes may be able to eat more meat and at a cheaper price. Nothing can be better as the consequence of our legislation. But the hon. Gentleman who moved this amendment assumed that such a consequence is impossible, if the agricultural interest is duly respected. Now, I hold that, with respect to this subject, and to every subject connected with agriculture, that supposition is a great mistake. It appears to me to be a prediction which reason and experience confirm, that whenever you increase the comforts of the people—whenever you enable them to live better and obtain more employment, you thereby improve legitimately the market for agricultural produce. Such is the course which has taken place in Ireland and Scotland. We have seen the importation of cattle from Ireland very much increase. The hon. Gentleman who spoke last has told us that the breed of pigs is very much improved there, and all kinds of cattle are sent over in great quantities. We have seen, too, in consequence of the facility of communication afforded by steam, that killed cattle and fresh meat are sent from the Scotch markets to those of this country. But have these great importations tended to the distress of the agricultural interest, or lowered the price of meat? Far from it: the price has continued to rise. And I believe that if our importations were to increase in ten years to a point which I am not so sanguine as to anticipate, you would see the prices of agricultural produce generally kept up, and you would at all events see the agricultural interest derive advantage from the improved condition of the country. I must here state that when the right hon. Gentleman made his statement with respect to the tariff, I did not wish to oppose any obstacle to the House going into committee; but I must beg leave to remark that although the right hon. Gentleman proceeded on a perfectly sound principle, and although I was very glad to hear the propositions which the right hon. Baronet on a former evening, and the right hon. Vice-President of the Board of Trade laid down to-night, on cattle, I find it impossible to reconcile those principles and propositions to the legislation adopted both as regards the Corn Bill already passed and some parts of the present tariff. We have heard it stated by the right hon. Gentleman, that when he proposed a reduction of the duty on herrings, a correspondent of his stated, that it would reduce the price from 20*s.* to 10*s.* the barrel. The right hon. Baronet, however, professed to disbelieve the fact, but added that if there could be such a reduction in the price of the food of the labouring classes, it would be an argument in favour of and not against his proposition. I perfectly agree in the statement and in the principle; but when I recollect that a Member of the Government stated, in the late debate on the Corn-laws, that foreign corn could be introduced at 40*s.*, it seems preposterous that the main article of the people's food should be treated on principles diametrically opposed to those which the right hon. Baronet and the Vice-president of the Board of Trade now maintain at all hazards. The right hon. Baronet on a former night observed that cattle could not be expected in any great quantities, because the area from which they could be imported was small, and they could not bear a long voyage; but that corn may be had from all the world. But what is the meaning of this argument? Here is a sound principle, one which can be adopted in practical legislation, one which you can make the basis of your future commercial policy, and hold up as an example to foreign nations, and yet we adopt it only where it is inoperative; but when it would effect most good, and be productive of most benefit to the people, we shrink from its application. That I cannot understand, much less can I understand it at a moment like this, when we yesterday heard in our churches the Queen's letter, calling for subscriptions to relieve the general distress. I have no doubt, that it was right to adopt this course; but it is a melancholy step to take in the middle of May, when the distress of the winter might be expected to have passed away, and a revival given to trade by the spring demand. But if it was necessary to do this, and that the right hon. Gentleman was persuaded, that the cost of subsistence should be reduced, why not be consistent in your measures? why not deal with the articles of consumption in their regular order, and in the present year lay a sound foundation for future legislation, and afford a real example to the rest of the world, which they may be induced to follow, instead of compelling them to observe, that your professions of free-trade principles are mere words, and that when you come to act and apply them to yourselves, you adopt them merely in the cases when they can be of little or no practical benefit? So much for agriculture. But I am quite ready to answer the summons of the hon. Member for Rutlandshire (Mr. Heathcote). Have there not, I ask, been already great reductions in duties on manufactures? On the cotton manufacture there is a duty of 10 per cent., and on woollens 17 per cent., but it should be recollected that great changes have already been made with respect to those articles; but with regard to other articles of manufacture, if it can be shown that any goods of great consumption by the farmers, are shut out by the high duty, I say, in all fairness and justice, admit those articles of manufacture. An hon. Gentleman, to be sure, pushes this principle to extremes, and says, that the coasting trade should be shared by foreigners. That is quite another question. It is not a question of trade or industry, but it rests on other and political principles. But there are other articles in the tariff on which you can make a great reduction. I do not understand why the farmer should be called on to compete with the foreigner in producing meat, and yet be prevented from purchasing sugar on equal terms, by an enormous prohibitory duty. On the whole, therefore, while I agree in the general grounds of the tariff, I cannot assent to some of its proposals. I cannot see that its practical benefit will be so great as the hon. Gentleman who moved this amendment would represent. I cannot see, that the admission of cattle will immediately take place to a great extent, but I think it of great value as the assertion of a principle. It is, in the first place, putting an end to prohibition; in the next place, it is apportioning a fixed and moderate duty to great articles of consumption; but when the hon. Gentleman, who has given notice of a motion for making the duty on cattle equal to that on corn, shall submit his motion, I shall be inclined to assent to it, with this slight difference, that I shall endeavour to bring down the duty on corn to the proportion of that imposed on cattle. Entirely agreeing with the present proposal, and hoping that the Government will apply their principle to all articles, without fear or affection, I shall support them against the proposition of the hon. Gentleman.

Sir *R. Peel*: I was very desirous to be able to confine my observations to the particular subject now under discussion—whether it be wise to remove the prohibition which now exists on the importation of foreign cattle and meat—substituting a moderate duty. But the noble Lord has invited a discussion on other points—the Corn-laws, and the sugar duty. With regard to the sugar duty, there will be an opportunity of discussing that question; and I shall then state why we think that there are reasons which except sugar from the application of the general principles of the tariff. As to the Corn-laws, any one would have inferred from the speech of the noble Lord, that he was of opinion that, under all circumstances, and without any qualification, the people of this country should have a command of the cheapest food; but I take it that the noble Lord, the author of an 8*s*. duty, must himself impose some restriction on that principle for which to-night he seems inclined to contend. He must admit that, under all circumstances, it is not expedient without reference to other considerations that the people should have the cheapest food; because otherwise his principle will be entirely at variance with his own proposal of an 8*s*. duty on wheat. The noble Lord must admit, either that there are special burdens in agriculture which justify that duty, or that it is desirable to give some protection to domestic agriculture; and the question then between me and the noble Lord is not a question of principle—it is a question of degree. I propose a graduated duty. The noble Lord proposes a fixed duty; but in vindication of his 8*s*. fixed duty, the noble Lord must contend against the principle which he has put forward to-night, taken without qualification or exception; and I therefore appeal to the noble Lord's assistance in support of my graduated scale. I do not, however, now wish to revive the discussion on the Corn-law; but I thought that the noble Lord had charged me with deluding the farmers; and had said, that if I had put forward any such proposition before the last election, the agricultural constituencies would not have implied an opinion so strongly in my favour; but now the noble Lord contends, that I have shown undue favour to the farmer, and have proposed a Corn-law at variance with the principles of the tariff. Surely, it is impossible for the noble Lord to contend, that I have deceived the farmer by holding out false expectations of protection, and, on the other hand, that I have shown him undue favour. I come now to this particular proposition; I am afraid, that unless I am able to apply myself to the particular proposals as they are made, there can be no prospect of bringing these discussions to a close; and I will, therefore, limit myself to the single point whether it be expedient to continue the existing prohibition, or to impose the duty proposed by the Government; and I discuss the question with my hon. Friend with perfect freedom and candour; I entirely differ from him in opinion upon this subject; but I am not, on that account, insensible to or ungrateful for the support which I have received in respect to my proposal of an Income-tax. Yes! I have received from the agricultural body, this Session, most valuable and generous support of the proposals which I have made; and the differences which may exist between us cannot disturb my grateful sense of their assistance; and, no doubt, greatly to the disappointment of some who now express dissent. I have not the least fear that the differences of to-night will continue beyond to-night. I, however, now maintain my own opinion; it seems to me that the interests of the country do require that the prohibition on the importation of foreign cattle should be removed, and I think that the proposal which I have made will benefit all classes of the community. When I spoke last, there was a prevalent apprehension and alarm at the proposal which I had made. I then said, that it was not consistent with the part of a true friend of the agriculturists to assume, that that panic was well founded; the reason which I gave for not acting on those apprehensions, was my belief that it would be found, before we got to the end of the tariff, that those apprehensions were at an end; and the communications which I have received from the country prove the correctness of that impression. I think I may say, that the panic has already passed away. I said, at that time that the then diminution in the price of cattle was attributable to other concurrent causes, as the price of fodder; and I felt, besides, very confident that when the sober judgment of the country was applied to the consideration of this subject, those apprehensions would give way to the natural consequence of that sober judgment. Now, I have looked into a country paper, and the country papers afford a very good indication of the feeling of the country; and I take this account, which is a report from Liverpool:—

> "The price of cattle is still rising; there was a large supply in the market; but the prices were very high; we stated a fortnight ago, that the diminution in price was the consequence of a mere panic, and would not continue."

If, then, I had acted on the panic, I should have been left in the lurch by the panic. I will now read another extract:—

> "*Liverpool, Monday, May* 16—
>
> "We have had rather a large supply of cattle; but the prices are very high; beef 6½*d.* to 7*d.*; mutton 7*d.* to 7¾*d.*"

Now the price of beef and mutton being 7*d.* and 7¾*d.* at Liverpool, I put it to every intelligent Gentleman in this House whether it is right to continue the present prohibition? Why do I take Liverpool? Because Liverpool is the port into which the Irish supplies enter. Now, supposing twenty years since any one had said to a Liverpool man, "Look at the present supply of Irish cattle, I will tell you what it will be twenty years hence," wouldn't his natural answer have been, "Why, the English graziers will be ruined." In 1820, the number of cows and oxen brought from Ireland—I am not sure whether into England or Liverpool only—was 16,966; and on an average of the last five years, there have been brought from Ireland into the port of Liverpool alone 472,200 cows and oxen, or upon an average about 94,400 in each year. What has been the effect of that enormous increase on the prices? So far from the English grazier being injured, the prices have risen, notwithstanding that large increase. Under these circumstances, is it wise to continue the present prohibition? Are we not bound to look for a wider area whence to draw our supply? Take the average of the five years preceding the last five, and the importation into Liverpool from Ireland was 54,800; compare that with the average of the five following years, which was 94,400; and do not these facts suggest important considerations? Is it not a just and almost necessary inference, that the population is increasing more rapidly than the supply? Whence, then, is our supply to come? Look at France, Holland, Belgium, and the States of the German Confederation—their population is sixty-five millions of inhabitants; they require cattle for their own supply of food; they are all, I believe, importing countries, and in each of them I am afraid the price of cattle and meat is rising, and the consumption increasing in proportion to the population. The noble Lord says,—

> "At one time you contend you ought to remove the prohibition, and at another time you say it will not materially affect the price of meat in this country."

"I must say that I wish it would reduce the prices, for I consider the price of meat too high. I take this proof of it:—Take Liverpool. I see that, by the great improvements in steam navigation, there are forwarded large supplies of cattle from Aberdeen and other parts of Scotland into Liverpool, and yet I see no benefit in that great community from such extensive importation. On the contrary, I see a progressive rise in the price of food. I say, then, that that is a conclusive proof of the necessity of removing the prohibition, and conclusive of the policy of widening the supply. If you tell me there is great alarm—a great panic in the markets, I am bound to say that I think that alarm unfounded. But what I admit to be the chief benefit from this alteration is this, that we are taking a new security against the constant progressive rise of the price of food in consequence of the diminution of the supply in this country, and the consequent rise of price of foreign cattle, I think that the foreigner will be ready to part with his cattle at a diminution of price of 25 per cent. At the same time, I am obliged to say, that when I consider the countries of Europe from which cattle can be introduced. I find them so few that I cannot think there will be any great diminution in the price of meat. Three things are always put out of consideration, and those are—the quantity of cattle, the quality of the meat, and the inevitable consequence of the removal of the prohibition in increasing the price of meat upon the continent. Depend upon it you cannot open the markets of this country without, in some degree, raising the price of meat in other countries, and when my hon. Friend refers me to the prices of 4*d.* and 5*d.* per pound, he must recollect that those are the prices with this prohibition and with the English markets closed to the foreigner; but if you open the English market the necessary consequence will be some rise in the price abroad. But always bear in mind the quality of the meat, and dont think that meat at 4*d.* per pound in Hamburgh or Holstein, if such be the price, is such meat as that at 8*d.* per pound in Liverpool or London. The things are perfectly different. Meat of an equal quality with that which we consume in London, I very much doubt whether any place on the continent could supply at a less price than 6*d.* instead of 4*d.* I cannot, however, but think that there will be advantage from this free intercourse by the improvements in our breed of cattle in this country. I was very much struck with an account of a meeting at which the hon. Member for Berkshire was present, I believe last year, of that most useful institution, founded mainly by Lord Spencer, and with which I have the honour to be connected—I mean the Royal Agricultural Society of England. I read this morning, the account of what passed at that meeting, which I will quote to the House:—

> "Sir Francis A. Mackenzie, Bart., informed the council that he had at length succeeded, through the agency of his friend, the celebrated geologist and writer on fossil fishes, Professor Agassiz, in obtaining possession of a breeding stock, which, for the last twenty-three years, since his first visit to Switzerland, he had been most desirous to secure for this country; and that four of the finest bulls that Switzerland could produce were on their way to England, and would arrive to the consignment of Mr. Hanbury, banker, in Lombard-street, in the course of a few days. Sir Francis, in describing this stock, remarks, 'I certainly never saw more beautiful cattle than the Swiss, not even in Yorkshire, and they combine both milking and fattening qualities, which is an immense advantage; the proof of the first is their being the cows which in Lombardy are only bought for making Parmesan cheese; and I hope that the shapes of the animals now sent will, to the best judges, prove that they

possess the latter quality by their perfect shapes.' Professor Agassiz not being limited in price, procured for Sir Francis Mackenzie four of the finest and handsomest young bulls that Switzerland could produce; and although the Professor considers the outlay already too large in effecting this object, Sir Francis expressed the conviction he felt that he should be rewarded if the blood was found to do good to our English breeds, by crossing them."

It is a great advantage, then, to the breeding of cattle in this country to have an unlimited access to the cattle of the continent; and with our skill and application of chymical science to agriculture, it cannot be denied that if this intercourse with the continent be admitted there will be great benefit resulting from it. I look back and find that scarcely a year has passed without many applications having been made to the Treasury to permit bulls and other animals of various breeds to be imported from parts of the continent. In one or two cases, permission was given; but it is, I need hardly say, a very different thing to do this by a mere exercise of favour against the law in a few isolated cases, and to provide for regular access, on the part of our agriculturists, to the best continental breeds. But, with the spirit, the industry, and the enterprise of the British farmer, I believe we should speedily find ourselves thoroughly able to compete with any country as to the supply of cattle. The only question then remaining is, whether the duty shall be fixed or according to weight? Surely a strong proof of the propriety of imposing a fixed duty is, that it is adopted in all foreign countries admitting importation of live stock. In Austria, the duty on an ox is 8*s.*; in Belgium, it is 10*s.*; in France, 2*l.*; in Germany, 15*s.*; in Holland, 1*l.* 3*s.* 4*d.*; the same reasons applying in those countries as in this, if any valid reason there be, for preferring a duty levied according to weight. And let the House mark this. My hon. Friend will avoid saying what duty by weight he would wish. Would he desire one of 2*s.* 6*d.* per cwt.? No; he of course does not deny that he wishes a higher degree of protection than I propose; and he would doubtless desire a duty of 6*s.* or 8*s.* per cwt.; but he abstains from naming any duty; he will not venture to specify the amount per cwt. he wishes. But, then, I say that this ought to be fully explained before you proceed to vote for any abstract proposition. My hon. Friend should really tell us what is the practical purport of his proposal, otherwise it would be a mere delusion voting upon his motion. Of course, he thinks that 1*l.* per head is not a sufficient protection, and desires a higher one; but, then, I think that unless we clearly comprehend his practical intention, many members may be entrapped into a vote; for there are those, I can well understand, who would rather have 2*s.* 6*d.* per cwt. as the duty than 1*l.* per head. In that case, observe that an ox weighing 4 cwt. would only pay 16*s.* duty—a result which might not entirely tend to diminish the "panic" of the farmers, nor to answer the object of my hon. Friend. My hon. Friend wishes really for an increase of protection, which would involve the interposing of greater difficulties to the admission of food for the people, for he should not forget that the levying of the duty by weight would create such an unavoidable delay and trouble at landing as would materially retard and obstruct the importation of stock on any terms arranged. On that ground I oppose it. My belief is, that the duty of 1*l.* per head will be sufficient. I stated that to a deputation of agriculturists who waited upon me to press their arguments in favour of higher protection. To their demand I could not, I cannot accede; for I believe that the interests of the community require that there shall be a diminution of the protective duty. I have a deep impression, a firm conviction, that population is increasing more rapidly than the supply of provision in this country, and that no advantage can be derived by the agriculturists from keeping up higher duties than I propose. My hon. Friend, indeed, said fattening of cattle produced in this country no profit. Why not? Is it not because in certain districts, producing lean cattle, the most enormous prices are charged for them, so that the profit of fattening is done away with? What then we want is to bring in a competition, which may give you the benefit of the lean cattle. As to fat cattle fetching 25*l.* or 30*l.* a-head, consider the difficulties of bringing them from foreign ports: reflect that the freight cannot be inconsiderable, could hardly be below 2*l.* a-head, and would probably be augmented. Consider, too, the inevitable risk of a sea-passage, and remember that there can be no insurance against the damage, though there may be against the entire loss of cattle thus transported across sea; all these things gave a real practical protection, over and above the duty. My interests are connected with the welfare of agriculture, but I should be ready, I trust, to sacrifice all personal interest, even if I imagined injury to myself would be the consequence of the measure I propose; but I really can assume to myself no such credit, for I believe that agriculture will derive, not injury, but advantage, from that measure, persuaded as I am that the effect will be that while on the one hand all the unnecessary odium attaching to agricultural protection will be avoided, the establishment of a regular but moderate supply from the continent will keep prices at a more equal rate here and abroad, and on a level in this country more consistent with the general welfare of the community. I am therefore, Sir, compelled, though with regret, to differ entirely from my hon. Friend; I am so firmly persuaded that justice to consumers requires the establishment of increased facilities for the admission of food, and that the measure is by no means adverse to the best interests of the agriculturists themselves, that I can make no concession. I must adhere to my original proposition, which I trust the House will, by a large majority, support, thus putting an end to uncertainty and alarm, and passing a measure which I do believe will be as beneficial to the agriculturists as to the rest of the community.

Mr. *M. J. O'Connell* admitted that a panic existed amongst the agricultural body; but who had caused that panic? Did it not lie at the door of those who taught the English agriculturists to rely on that broken reed—the protection of legislation? Had they known at the last dissolution that an attack was to be made on agriculture, hitherto protected in this, respect by absolute prohibition, would the result of the late elections have been the same? Would the powerful muster of farmers' friends, which he beheld on the other side, have occupied those benches? What did the *Morning Post* say the other day? ["Oh!"] No doubt it was very disagreeable. He could assure hon. Gentlemen that he was not going to read them an extract; it was but one short sentence and he had committed it to memory. The defence of the right hon. Baronet's conduct by the *Morning Post* was this, "that he had not deceived the agriculturists, but that he had looked on while they deceived themselves." Nothing could be more severe than this from the Government organ. This question had two aspects. Some time ago when they were discussing what was called a popular measure, the Income-tax, they were told by the right hon. Baronet that the money which it would take from the pockets of the industrious classes would be repaid them by the diminished cost of the necessaries of life, which the other measures of the right hon. Baronet would effect. There was a curious caricature exhibited lately in the picture-shops, which represented the right hon. Baronet in the character of a doctor, administering a nauseous medicine—namely, the Income-tax. ["Oh!"] He dared say that hon. Gentlemen opposite would find this subject most unpleasant. But in this caricature the doctor was represented offering in his other hand something in the way of a soother to this nauseous medicine. And this was the tariff, which was represented so sweet and pleasant as to make the Income-tax go down the patients' throats more pleasantly than otherwise. Now the right hon. Baronet had told them that though the necessaries of life were to be reduced, the pockets of the agriculturists would not feel it in the least. The visage now of this modern Janus turns its other side—the protection face of Janus now turns, for he said, that foreign cattle came in from so small and circumscribed a district, that they could produce no effect upon the markets, and the protection of the cost of living was to be postponed *sine die*—to so distant a day that no man could tell when it would arrive. He was showing upon what frivolous grounds this measure was called a great boon to the consumer; but, he believed, that the right hon. Baronet did not rest his measure upon these. The right hon. Baronet was forced to admit, though he did not wish to alarm the people, that he had other reasons for bringing forward his proposal. These, then, were the contradictory grounds the right hon. Baronet had put forward in the same Session of Parliament for the introduction of his measures. He hoped hereafter that the farmer would endeavour to grow a better description of cattle for the foreign market than heretofore. He would vote for the proposition for this reason, that he was sure if the measure took effect, and a competition in cattle did take place, the energy and industry of their farmers would enable them to compete with foreigners, and without any loss in reputation, meet them in their own markets. If this then be true with regard to cattle, which, to the working classes, was an article of luxury, was it not plain to all that it was much more the case with regard to the prime necessary of life—the article of corn. A more conclusive speech than that made by the Vice-President of the Board of Trade in favour of a fixed duty on corn he had never heard. That right hon. Gentleman said that it would create an export trade in return, which would go far to compensate for any temporary loss to which the agriculturists might be subject. If this be true with regard to cattle, how much more true was it with regard to that every-day's source of existence, which was produced in Europe, America, and which might be brought from any part of the world. They were told of the energy and industry of their native farmers, who it was said could compete with others in any part of the world—that they did not fear any competition. The right hon. Baronet the other night told them of the chemical discoveries which had been made in agriculture, and which were sufficient to preserve them from any alarm. Now, he should like to know whether those chemical discoveries were applied to the fattening of cattle? He had understood that these practical discoveries tended in an equal degree to effect the production of corn as well as cattle; that it was calculated to cheapen the growth of corn as well as cattle. He should like then to know, were the British cattle-feeders inferior to those who applied their capital and industry to the growth of corn? He supported a fixed duty upon corn because it tended to throw open a free competition to the trade of the world. When they advocated the proposition of the right hon. Baronet with respect to cattle, how could they, with any consistency, advocate a proposition so ruinous to the agriculturists, which was equivalent to putting a fixed duty of 15 or 16 per cent. on foreign corn? He hoped the farmers would see, in spite of all the alarm which had been created, what would be really the most beneficial measure for their interests. He hoped that agriculture would, in this department, revive. If it did he hoped the right hon. Gentleman would endeavour to follow up the same principle by giving the protection of a moderate fixed duty to corn.

Lord *Worsley* said, that he had no wish to see the prohibition continued, but that he asked for a higher duty than that proposed. He did not think it right either, that the lean and the valuable beast should be imported at the same duty.

Mr. *Villiers* said, that he agreed with his noble Friend that the motion of the hon. Member for Somersetshire had not been treated fairly, for it had been treated with respect, and if this House represented the people of the country, it would have been scouted. Yes, he said it would and ought to have been scouted, for what was its object? Not, as the noble Lord said, certainly, to return to prohibition, but to prevent the people having the benefit of the relief intended by the measure—this was the object—it was too favourable to the people, too injurious to the monopolists; and the hon. Member, in the spirit and for the interest of his class, opposed it. Yes, when the misery and suffering of the people were at last so striking, so general, that the Minister of their own choice, he whom the landed interest, whom the monopolists had placed in power themselves, was obliged to propose some mitigation of the monopoly that so cruelly oppressed the people, the Member for Somersetshire, in representing the interest and discontent of his party, tried to deprive the people of the miserable boon that was offered to them. [" Divide."] Ay, they might "cry divide," but he wanted to call the attention of the country to the discussion of to-night. It was instructive and useful for it to be known. He hoped the speech of the Member for Somersetshire, he hoped the whole debate would be published and circulated by the Anti-Corn-law League, and by every free-trade association in the country. The country would see then the object of their opponents, they would see really what it was that the prevailing interest in that House cared for, and they would see what were the tardy admissions made by their old opponents. Let the country consider the object of the motion, and the state of the people. The people were horribly distressed, many were starving. Many had been starved. And when the Minister of the Crown, aware of the circumstance, avows the necessity of doing something, proposes a relaxation of the accursed laws which, limiting the amount, and raising the price of the people's food, had caused all the misery and distress, the agricultural party, headed by the hon. Member, came forward to deny the relief proposed—and let the people observe the course of the argument pursued. The hon. Mover of the amendment makes a long speech to this effect, and though he must know the condition of the people never once in the course of his statement alludes to the people, to their interest in this matter. No, his speech is full of alarm lest the people should derive the slightest benefit from any of the ample resources which he showed himself to exist in different parts of the world, on which the people could depend to supply their necessities in this country. His whole care was, lest the price should be reduced, and food be thus rendered more accessible to the poor. He had heard him for a quarter of an hour expressing his fears lest meat should fall from 6*d.* to 5*d.*, and this at a moment when the people are actually famishing—when all the consequences of being ill-fed are manifested—when there is not a single populous or manufacturing district where medical men are not ready to come forward and prove that destitution, disease, and death, are being wide spread and hastened throughout the land owing to the want of sufficient and wholesome food. To meet this evil, then, the Minister makes his proposition; but what is his answer to his friends who oppose him? Why, that no relief will really be given. Yes, that is his apology for the charge. He quotes from the cattle markets the most recent prices, and congratulates his party upon a positive rise of price. That, then, is the state of the case, and he hoped the people would look to it. The misery that is prevalent—the sufferings they endure—are admitted; relief is proposed by one section of the party opposite, and it is opposed by the other section because it is relief, and apologised for finally as being no relief. That is the case of the right hon. Baronet: he read from the *Price Current* to show that all panic had ceased, that meat would rise in consequence of his measure; and he, as the House must have seen, quieted his friends, who had risen in numbers to speak against him, till they heard his assurance that the public would not be benefited. He had comforted them in the same way about the Corn-law, and he had been proved already to be right, for since the Corn-law had passed wheat had risen 4*s.* a quarter. He promised them the same thing as to meat, and the public were yet to be told that the Income-tax was to be tolerated because the cost of living was to be reduced. He was rejoiced, however, at this discussion, because the people would see that their sufferings were fully admitted, that little or no relief was proposed, and that they must depend upon themselves if they would obtain that redress to which they were entitled by the admission of their enemies.

Mr. *F. Scott* said, that hon. Gentlemen on the other side of the House had spoken as if hon. Members on his side were disposed to depreciate the sufferings of the people. Now, there was no such feeling, and it was a vile calumny to say so. He believed that hon. Members who represented the agricultural interests felt as much for the people as other hon. Members; at any rate, they understood their own interest—in admitting a certain degree of foreign produce at a duty that did not amount to a prohibition. He believed that by the introduction of foreign and lean cattle, great benefit would accrue, not only to the landowners and landholders, but to the consumers in every class of society; for there was no doubt that the greater the quantity of cattle that could be fattened in this country the more manure would be produced, and the more corn grown. They ought to a certain degree to support the farmer in order to give him remuneration, but they ought also to afford support to the labouring classes. He was disposed, however, to take the view of the hon. Member for Somersetshire, not to admit lean and fat cattle at the same duty, but while he thought the home grazier ought to have a remunerating price, he saw no reason to disagree with the view taken by the right hon. Baronet.

Mr. *Ward* repudiated the charge of calumny made by the hon. Member on the other side of the House. The fact was, his own Friend had misrepresented the motion which he had brought forward, and which he knew he could not support, and they had done so for the purpose of making amends to their constituents for the views they had taken on the previous question of the Corn-laws.

Mr. *O. Gore* said, that he had seen some of the most influential farmers in Shropshire, and he had no hesitation in telling the House that they were perfectly satisfied with the proposition of the right hon. Baronet. They wished protection to be afforded to the small rather than to the large animals; and that as large protection as possible should be given to the breeder and grazier. He should oppose the amendment because he wished to support the poorer parts of the country—Ireland, Wales, and all those parts where the people were scarcely able to support themselves. He did not look to the Gentlemen who had their rich pastures and rich fields of turnips, but to the mountains of this country, where the smaller kind of beasts were fed. The small beasts fetched a higher price in the market than large beasts, and it was the former that this amendment would tend to depreciate. The north-western markets, which had been much depreciated, had now risen to their usual price, and he was anxious that the price should continue.

Mr. *Hume*, who spoke in the midst of much expressed impatience, was understood to say, that he saw several Members now interrupting the proceedings who had taken no previous interest in the motion, and he believed their object in coming was to interrupt the business of the House. It was his intention to support the right hon. Baronet, and he should not now have addressed the House but for the charge of calumny which the hon. Member for Roxburghshire (Mr. F. Scott) had brought forward against hon. Members on his side of the House. The object of the present motion was to destroy the intention of the right hon. Baronet, who, in the difficult situation in which he was placed, had attempted in some degree to alleviate the miseries of the people. If hon. Members would attend to the statements of the right hon. Gentleman the Vice-President of the Board of Trade, and of the right hon. Baronet, they would see that the state of the country required that food of every kind should be cheap; but the object of the present motion was to prevent meat being cheap, and therefore he argued that it was an attempt to add to the miseries and sufferings of the starving people. He could only say that if the right hon. Baronet was as anxious as he had stated himself to be that animal food should be cheaper, he would adopt the proper course and make corn cheaper. It did not require any arguments to show that if they had cheap cattle, they should have cheap food to feed them with. Hon. Members had been attending to their own interests instead of that of the public, and now would not allow the truth to be stated. The hon. Member opposite had laid it down as a principle, that if cattle were fed abroad on corn which could be sold at half the price it was in this country, they could be sold cheaper; and taking the price of barley abroad and in this country he had shown that there would be a difference of profit in favour of the foreign breeder of 2*l.* 18*s.* 6*d.* He contended that if food was cheaper in this country meat would be as cheap here as in any part of the world. The right hon. Baronet stated the other night that the people ought to go to the cheapest market, and he no doubt would act on that principle if not fettered by such supporters as those by whom he was surrounded. Was not the hon. Member opposite aware that an extraordinary degree of distress prevailed in the manufacturing districts? But what was the tendency of the proposition which he made? Why, to increase that distress. He concurred in opinion with his hon. Friend the Member for Wolverhampton, that the proceedings of the House tended to starve the people. Every act of theirs had that tendency. ["Oh, oh."] Those Gentlemen who cried "oh, oh," ought to be ashamed of themselves. He contended that the tendency of the motion of the hon. Member was to add to the price of food and to interrupt that commerce on which the welfare of the country depended. Although the right hon. Baronet did not go to the length which he wished him to do, he would support him against a party who only looked to their own interests. The hon. Member opposite said they understood their own interests. He repeated that the hon. Member said they knew their own interests well. He entirely agreed with the hon. Member in that remark, but in no other. The hon. Member and those around him did know their own interests, and this was a question connected only with the interests of the landlords of the country—a party who, by class-legislation, were able to keep up that monopoly from which arose all the evils under which the country was now suffering. He thought the right hon. Baronet deserved great credit for his attempt to alleviate the distress which existed.

Mr. *Miles* could not allow the House to come to a decision on the present subject without saying that he and those around him felt as much for the distress which now existed in the country as the hon. Member who had just sat down, and the hon. Member for Wolverhampton. He must thank the committee for the general tone in which the debate had been conducted, which differed so much from the tirade of the hon. Member for Wolverhampton. He did not stand up on the present occasion as the advocate of prohibition. He only asked that a protection should be placed on live cattle equivalent to that on dead meat; and he must say, that he was astonished to hear the right hon. Gentleman the Vice-President of the Board of Trade say, that the height of freight made up for a low duty. What did the right hon. Gentleman say to the case of the Aberdeen farmers, who sent 300 cattle weekly to Smithfield market? Would they do that if they could send carcases at a greater profit? He thought that a conclusive argument on that point. All he asked on the present occasion was, that the right hon. Baronet should agree to an abstract proposition, which might be more fully considered hereafter.

The committee divided on the question that the words proposed by Mr. Miles, to take the duty on live stock by weight, be added:—Ayes 113; Noes 380: Majority 267.

List of the AYES.

Allix, J. P.
Arbuthnott, hon. H.
Archbold, R.
Archdall, Capt.
Arkwright, G.
Astell, W.
Bagge, W.
Bailey, J., jun.
Baillie, H. J.
Bankes, G.
Barneby, J.
Barrington, Visct.
Baskerville, T. B. M.
Berkeley, hon. G. F.
Blackstone, W. S.
Bradshaw, J.
Bramston, T. W.
Brownrigg, J. S.
Bruce, C. L. C.
Buck, L. W.
Bulkeley, Sir R. B. W.
Campbell, Sir H.
Cartwright, W. R.
Cayley, E. S.
Chapman, B.
Charteris, hon. F.
Chetwode, Sir J.
Christopher, R. A.
Clayton, R. R.
Codrington, C. W.
Colborne, hn. W. N. R.
Colville, C. R.
Compton, H. C.
Curteis, H. B.
Dalrymple, Capt.
Dawnay, hn. W. H.
Dickinson, F. H.
Drax, J. S. W. E.
Duff, J.
Duffield, T.
Dundas, F.
Eaton, R. J.
Farnham, E. B.
Fellowes, E.
Ferguson, Sir R. A.
Fitzroy, hon. H.
Fuller, A. E.
Grogan, E.
Halford, H.
Hay, Sir A. L.
Heathcote, G. J.
Heneage, E.
Henley, J. W.
Hinde, J. H.
Hodgson, R.
Houldsworth, T.
Howard, hon. H.
Kemble, H.
Knight, F. W.
Knightley, Sir C.
Lawson, A.
Leicester, Earl of
Lockhart, W.
Long, W.
Lygon, hon. General
Mackenzie, T.
Mackenzie, W. F.
M'Taggart, Sir J.
Maher, V.
Manners, Lord C. S.
March, Earl of
Maunsell, T. P.
Morris, D.
Murray, C. R. S.
Murray, A.
Neeld, J.
O'Brien, A. S.
O'Brien, W. S.
Ossulston, Lord
Packe, C. W.
Palmer, G.
Philips, Sir R. B. P.
Plumptre, J. P.
Pusey, P.
Ramsay, W. R.
Redington, T. N.
Rolleston, Col.
Round, C. G.
Round, J.
Rushbrooke, Col.
Ryder, hon. G. D.
Sibthorp, Col.
Smith, A.
Smyth, Sir H.
Sotheron, T. H. S.
Stanley, hon. W. O.
Talbot, C. R. M.
Thornhill, G.
Tollemache, J.
Trollope, Sir J.
Turnor, C.
Tyrell, Sir J. T.
Vere, Sir C. B.
Vivian, hon. Major
Vyvyan, Sir R. R.
Waddington, H. S.
Walsh, Sir J. B.
Westenra, hon. J.
Williams, T. P.
Wodehouse, E.
Worsley Lord
Wrightson, W. B.
Yorke, hon. E. T.

TELLERS.

Miles, W.
Palmer, R.

List of the NOES.

Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Acton, Col.
Adare, Visct.
Aldam, W.
Alford, Visct.
Antrobus, E.
Ashley, Lord
Bagot, hon. W.
Bailey, J.
Baillie, Col.
Baird, W.
Baldwin, B.
Balfour, J. M.
Bannerman, A.
Barclay, D.
Baring, hon. W. B.
Baring, H. B.
Baring, rt. hon. F. T.
Barnard, E. G.
Beckett, W.
Bell, M.
Bell, J.
Bellew, R. M.
Bentinck, Lord G.
Beresford, Major
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Bernal, Capt.
Bernard, Visct.
Blackburne, J. I.
Blakemore, R.
Bodkin, W. H.
Boldero, H. G.
Botfield, B.
Bowes, J.
Bowring, Dr.
Broadley, H.
Broadwood, H.
Brodie, W. B.
Brooke, Sir A. B.
Brotherton, J.
Browne, hon. W.
Bruce, Lord E.
Bryan, G.
Buckley, E.
Buller, C.
Buller, Sir J. Y.
Burrell, Sir C. M.
Burroughes, H. N.
Busfeild, W.
Byng, G.
Campbell, A.
Cardwell, E.
Carew, hon. R. S.
Carnegie, hon. Capt.
Cavendish, hon. C. C.
Cavendish, hn. G. H.
Chelsea, Visct.
Childers, J. W.
Christie, W. D.
Christmas, W.
Chute, W. L. W.
Clay, Sir W.
Clive, E. B.
Clive, hon. R. H.
Cobden, R.
Cochrane, A.
Cockburn, rt. hn. Sir G.
Colebrooke, Sir T. E.
Collett, W. R.
Conolly, Col.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Cresswell, B.
Cripps, W.
Currie, R.
Dalmeny, Lord
Damer, hon. Col.
Dashwood, G. H.
Dawson, hon. T. V.
Denison, J. E.

Denison, E. B.
Dennistoun, J.
Divett, E.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Dowdeswell, W.
Drummond, H. H.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Duncombe, hon. A.
Dundas, Admiral
Dundas, D.
East, J. B.
Easthope, Sir J.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Ellice, right hon. E.
Ellice, E.
Ellis, W.
Eliot, Lord
Elphinstone, H.
Emlyn, Visct.
Escott, B.
Esmonde, Sir T.
Estcourt, T. G. B.
Evans, W.
Ferguson, Col.
Ferrand, W. B.
Filmer, Sir E.
Fitzroy, Capt.
Fitzroy, Lord C.
Fitzwilliam, hn. G. W.
Fleming, J. W.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forester, hn. G. C. W.
Forster, M.
Gaskell, J. Milnes
Gibson, T. M.
Gill, T.
Gladstone, rt. hn. W. E.
Glynne, Sir S. R.
Godson, R.
Gordon, Lord F.
Gore, M.
Gore, W. O.
Gore, hon. R.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Granger, T. C.
Greenall, P.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grimston, Visct.
Grosvenor, Lord R.
Guest, Sir J.
Hale, R. B.
Hall, Sir B.
Hamilton, J. H.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Hayter, W. G.
Heathcoat, J.
Heneage, G. H. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hill, Lord M.
Hillsborough, Earl of
Hindley, C.
Hobhouse, rt. hn. Sir J.
Hodgson, F.
Hogg, J. W.
Hollond, R.
Holmes, hon. W. A'Ct.
Hope, hon. C.
Hope, A.
Hornby, J.
Howard, hn. C. W. G.
Howard, Lord
Howard, hon. E. G. G.
Howard, P. H.
Howard, Sir R.
Howick, Visct.
Hume, J.
Humphery, Ald.
Hutt, W.
Ingestrie, Visct.
Inglis, Sir R. H.
Jackson, J. D.
James, W.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnson, W. G.
Johnston, A.
Johnstone, Sir J.
Johnstone, H.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kelburne, Visct.
Kerrison, Sir E.
Knatchbull, right hon. Sir E.
Knight, H. G.
Labouchere, rt. hon. H.
Lambton, H.
Langston, J. H.
Lascelles, hon. W. S.
Law, hon. C. E.
Leader, J. T.
Lefroy, A.
Legh, G. C.
Lemon, Sir C.
Leveson, Lord
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Listowel, Earl of
Litton, E.
Loch, J.
Lopes, Sir R.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Macaulay, rt. hn. T. B.
M'Geachy, F. A.
Mahon, Visct.
Mainwaring, T.
Mangles, R. D.
Manners, Lord J.
Marjoribanks, S.
Marshall, W.
Marsham, Visct.
Marsland, H.
Martin, J.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Maule, rt. hon. F.
Meynell, Capt.
Miles, P. W. S.
Milnes, R. M.
Mitcalfe, H.
Mitchell, T. A.
Mordaunt, Sir J.
Morgan, O.
Morgan, C.
Morison, General
Morrison, J.
Munday, E. M.
Napier, Sir C.
Neville, R.
Newport, Visct.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Norreys, Sir D. J.
Northland, Visct.
O'Brien, J.
O'Connell, M. J.
O'Conor, D.
Ogle, S. C. H.
Ord, W.
Oswald, J.
Owen, Sir J.
Paget, Lord W.
Pakington, J. S.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pechell, Capt.
Peel, rt. hon. Sir R.
Peel, J.
Pemberton, T.
Pendarves, E. W. W.
Philips, G. R.
Philips, M.
Phillpotts, J.
Plumridge, Capt.
Pollington, Visct.
Pollock, Sir F.
Powell, Col.
Praed, W. T.
Price, R.
Pringle, A.
Protheroe, E.
Pulsford, R.
Rae, rt. hn. Sir W.
Ramsbottom, J.
Rashleigh, W.
Reade, W. M.
Reid, Sir J. R.
Rice, E. R.
Ricardo, J. L.
Richards, R.
Roche, E. B.
Roebuck, J. A.
Rose, rt. hon. Sir G.
Rous, hon. Capt.
Russell, Lord J.
Russell, Lord E.
Russell, J. D. W.
Sanderson, R.
Sandon, Visct.
Scarlett, hon. R. C.
Scholefield, J.
Scott, R.
Scott, hon. F.
Scrope, G. P.
Seymour, Lord
Seymour, Sir H. B.
Shaw, rt. hon. F.
Shelborne, Earl of
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Smith, B.
Smith, J. A.
Smith, rt. hon. R. V.
Smythe, hon. G.
Somerset, Lord G.
Somerton, Visct.
Somerville, Sir W. M.
Stanley, Lord
Stanley, E.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stewart, J.
Stuart, Lord J.
Stuart, W. V.
Stuart, H.
Strutt, E.
Sturt, H. C.
Sutton, hon. H. M.
Tancred, H. W.
Tennent, J. E.
Thompson, Mr. Ald.
Thornely, T.
Towneley, J.
Traill, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trotter, J.
Troubridge, Sir E. T.
Tufnell, H.
Turner, E.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Villiers, hon. C.
Vivian, J. H.
Vivian, J. E.
Vivian, hon. Capt.
Wakley, T.

Walker, R.
Wall, C. B.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
Wemyss, Capt.
White, H.
Whitmore, T. C.
Wilbraham, hon. R. B.
Wilde, Sir T.
Williams, W.
Wilshere, W.
Winnington, Sir T. E.
Wood, B.
Wood, C.
Wood, Col.
Wood, Col. T.
Wood, G. W.
Wood, Sir M.
Wortley, hon. J. S.
Wyndham, Col. C.
Wynn, rt. hn. C. W. W.
Wynn, Sir W. W.
Yorke, H. R.
Young, J.

TELLERS.

Clerk, Sir G.
Fremantle, Sir T.

House resumed. Committee to sit again.

House adjourned at a quarter past one o'clock.

HOUSE OF LORDS,

Tuesday, *May* 24, 1842.

MINUTES.] BILLS. *Public.*—1ª. Roasted Malt.
2ª. Excise Duties Compounds; Turnpike Roads (Ireland).
Reported.—Law of Evidence Improvement.
Private.—1ª. Rouma Pierre Lambert Flavian, and others Naturalization; Faversham Navigation.
2ª. Bristol and Gloucester Railway; Aberdeenshire Roads; Liverpool Health of Town and Buildings Regulation; Earl of Devon's Estate; Viscount Fitzwilliam's (or Herbert's) Estate; Forth and Clyde Navigation.
Reported.—Warwick and Leamington Union Railway (specially); Yarmouth and Norwich Railway (specially).

PETITIONS PRESENTED. By the Earl of Hardwick, from Soham, Mildenhall, and Fordham, against the proposed Alteration of the Import Duty on Mustard, Canary, and Carraway Seeds.—By the Duke of Richmond, from Black Isle, in the county of Ross, for Protection to the Agricultural Interest.—By the Duke of Richmond, from Kirk Michael, Joraven, Mortlack, and Cabrack, against the Importation of Cattle and Sheep.

LOCKING RAILWAY CARRIAGES.] The Earl of *Ripon* observed that a question was asked yesterday, by a noble and learned Lord (Lord Campbell), respecting the practice which prevailed on one line of railway of locking both sides of the carriages in which passengers were confined; and the noble and learned Lord desired to know what course the Government had taken, or was disposed to take on the subject. The accident which had recently occurred in the neighbourhood of Paris, was certainly of a nature calculated to excite the greatest alarm in this country, and was one which made it the duty of the Board of Trade to take some steps on the subject. He, having the honour to preside over that Board, had accordingly directed his attention to this matter, and the first thing he had felt it his duty to do was to ascertain how far the practice of locking the carriages on both sides prevailed, and it appeared that, with the exception of one railway—the Great Western—none of the companies locked up both sides. Some of them were in the habit of locking up one side of the carriage, leaving the other side unlocked. Feeling, however, that this was a very dangerous practice, and one which might lead to a similar serious calamity to that which had overwhelmed the passengers at Versailles, he referred the subject to the inspector-general of railways, for his opinion as to the degree of danger arising from the practice, and as to the necessity that existed for its being followed. That gentleman had reported that the practice was a very dangerous one, and that he saw no possible advantage that could arise from it, and that he thought it was a practice which ought not to be pursued. Upon the receipt of this report, he directed a circular letter to be addressed to the directors of the different railway companies, calling their attention to the danger of the practice, and inviting them not to continue it. That was the utmost extent of interference which the law authorised the Government to exercise in a matter of this kind, and certainly it was a question of great difficulty as to whether Government should be armed with larger powers of imposing positive restrictions upon all these companies. However, the suggestion had been made by the Government, and he had the satisfaction of stating that he had every reason to believe that there would not be the smallest hesitation on the part of the directors of the Western Railway to comply with that suggestion.

Lord *Campbell* said, that the explanation of the noble Earl must be very satisfactory to the public. The question was one of great importance, and was well deserving the consideration which the Government had given to it. Although his noble and learned Friend on the Woolsack had, since the accident occurred at Versailles, travelled in one of these locked up carriages without any inconvenience or apprehension of danger, he believed that his noble and learned Friend's case was a singular one, for there could not be a question that very great apprehensions prevailed in the public mind in consequence of the frightful calamity which had occured in France. He hoped, therefore, that it would be possible to make some arrangements with the railway company, and if not, that some positive law would be passed on the subject.—Subject at an end.

THE TARIFF—CATTLE.] The Duke of *Richmond* presented a petition from Kirkmichael and several other parishes in the county of Banff, praying their Lordships not to pass the tariff without giving due protection to the agricultural interest, more particularly as to the importation of foreign live stock. He made some observations last night on presenting a similar petition in the absence of his noble Friend the President of the Board of Trade, which he was told he ought not to have made until his noble Friend was present. The reason he did so was, that he understood there was every probability of the tariff being passed yesterday in the House of Commons. If that had been so, it would have been contrary to the orders of their Lordships' House for him to have presented a petition against the bill, as it would then have been before their Lordships. He could only express his great regret that his noble Friend had not acceded to what he considered the just and very reasonable request of the agriculturists, namely, that the duty should have been taken in a more satisfactory manner, and he would again express the deep anxiety he felt as to the results of those very great changes that were proposed to be adopted—changes which could not be of service to the agricultural interest, but which might, by possibility, be very prejudicial to it. He made no attack on his noble Friend or on the Government last night, nor did he intend doing so now, but he thought that the Government had gone from one extreme to another very injudiciously. The farmers had throughout conducted themselves with great forbearance, and in avoiding holding county meetings and petitioning Parliament, they had shown themselvas desirous of making a comcompromise between all classes and interests of the country. From his knowledge of the farmers he could venture to say that they did not wish to be protected for the purpose of enriching themselves to the detriment of the other classes of the community; but they did feel, and he agreed with them, that a reduction of wages, which would be the necessary consequence of reducing the profits of the farmer, would cause great misery among that valuable class of the people—the agricultural labourers of this country. The petition was very respectfully framed, and many of the petitioners he knew, and it prayed their Lordships to give adequate protection to the agricultural interest.

The Earl of *Ripon* was not the least disposed to find fault with his noble Friend for having presented a petition yesterday without communicating with him. He had no right to complain; his absence yesterday was his own fault; but, if he had been present, he should only have addressed a very few observations to their Lordships, because matters like this which involved questions of detail were better discussed in the regular way than upon the mere presentation of a petition. He would say, generally, that after the most mature consideration he had been able to give to the subject, and after the closest examination of the facts relating to it, he could not participate in the apprehensions which the petitioners entertained with respect to the effect of the proposed alterations as to the importation of live cattle. The maintenance of the doctrine of prohibition, as well as its practice, he considered to be now utterly impossible. This his noble Friend must himself admit. What the Government then had to do was, to consider what would be a moderate and reasonable duty, and, looking not only to the circumstances connected with this country, but to those connected with other countries also, they had been led to the conclusion that the duty proposed was one which live cattle could fairly bear, and which would not expose the agricultural interest to any injury whatsoever, and that was really his sincere conviction. He was not, however, at all surprised at the apprehensions that were entertained on this subject, because he knew, from some years' experience in these matters, that when an alteration was proposed to be made from a system of prohibition to one of a moderate duty, all sorts of evil consequences were prophesied as being likely to result from it. He remembered, not many years ago, what occurred upon this very subject of the importation of cattle. When Ireland began to supply this country with considerable numbers of live cattle, there prevailed in his part of the country—he meant Lincolnshire—as great a panic then as it had recently been labouring under; and he recollected being at that time told by his own tenants that they were about to be ruined by such masses of Irish cattle coming to the English market, and that it would be impossible for them to obtain adequate remuneration for rearing cattle. He did not entertain any of those apprehensions, and he ventured to tell them that he could not participate in their fears, but that he thought that in a very short time, although the number of cattle from Ireland might annually increase, no injury would fall upon them, nor would their means be diminished for cultivating the land, nor would they be deprived of those reasonable profits which they had been accustomed to realize. This expectation of his had been fulfilled. The quantity of cattle imported from Ireland had increased by thousands and thousands year after year, and certainly with advantage to Ireland and to this country into the bargain, and yet not one of those disadvantages apprehended by his tenants had ever befallen them. At least, as far as his experience went, he had no evidence of the want of remunerating prices which they apprehended. The motive for making the change at the present moment undoubtedly was, that it was impossible to maintain the principle of prohibition upon any ground whatever. Nobody could be found to undertake that task; therefore her Majesty's Government came to the conclusion that any attempt to make this particular article the sole exception to the general principle of the whole tariff, as it was now already constructed, would be untenable, and that if they had been inclined to take so erroneous a course, they would certainly have been foiled in the attempt. It was supposed that the opening of the British market, under a moderate duty, to cattle from abroad, would lead to such an importation as would have a ruinous effect upon the price of cattle in this country. That it might have some effect under certain circumstances, and at some future time, was very possible; nor ought they to be surprised, or even disappointed, if it should; for let anybody watch the gradual increase of the price of meat for the few last years in this country, and consider also the vast increase of our population, and then the necessity of endeavouring to secure to the people some protection against an undue elevation of price of an article which was in fact one of necessity would be apparent. In considering the rate of duty to be imposed, it was necessary to look to those quarters whence it was supposed these great importations would come. Now, there really were only two countries in Europe from which there could be expected to be any importation of cattle into this kingdom: the one was that portion of the kingdom of Denmark forming the Duchy of Holstein, and possibly a small quantity might come from Holland; but all those countries which were continuous with those two limited spots had such vast populations that they were obliged to import cattle for their own use. France, with a population of 36,000,000, imported more than it exported, and, notwithstanding that, the price of meat in France for the last twenty years was actually doubled, and the consumption, though vast, in no degree kept pace with the increase of the population, nor had the stock of cattle kept pace in any sort of ratio with the population. In Belgium they had not enough cattle for their own consumption, but were obliged to import; and throughout the whole German League, comprising a population of 26,000,000, the same state of things actually existed. In every one of those countries there had been a gradual increase of prices going on during the last twenty years, and in all of them prices were tending to the maximum they had attained in France, and which, after all, was not a great deal less than the price of meat in this country. The case, then came to this—there were 64,000,000 of people on the continent, to which might be added 27,000,000 for the United Kingdom, making 91,000,000, who were about to compete for a few thousand head of cattle, being the small surplus supply of a small portion of the continent of Europe. Was it possible, under all these circumstances, that any evil consequences could arise as far as regarded the interests of those who thought that the price of meat would be unduly diminished? His impression was (and so far it was to him a matter of great regret) that the reduction of price, generally speaking, would be very little indeed. But though that might be the case, still the country would derive all the benefit of a free competition which the alteration would introduce. And this, after all, was the great benefit to be sought for in the reduction of duty upon any article. It served rather as a check to the undue elevation of prices, than as a means of reducing prices. To this extent, then, the country at large would be benefitted, and that without inflicting the smallest injury upon any individual interest in it.

The Duke of *Richmond* without wishing to offer any advice to his noble Friend, would not hesitate to repeat the observation he made last night, that in his opinion the tariff was inconsistent with itself. He could not understand why they were to allow lean stock to come in upon the payment of a duty of 1*l.*, and fat stock, which was worth five times as much, to come in upon the same terms. Again, if a calf were imported worth 2*l.* 10*s.*, the duty was to be 10*s.*, but if a sheep were imported, which also might be worth 2*l.* or 2*l.* 10*s.*, the duty would only be 3*s.* Upon what principle was this difference made? He was against all prohibition as well as his noble Friend, but he certainly wanted to know who was the Gentleman who drew up this tariff. He wished to learn of that Gentleman upon what calculation it was that he proposed to allow the importation of a fat animal alive at a duty of 20*s.*, which of course brought with it the tallow and the hide free of duty, whereas if that animal were killed before it was imported the duty would be upwards of 64*s.*, thus giving a premium for bringing the animal to this country alive of no less than 44*s.* The passing of the Corn-law would of itself reduce the price of cattle, because the duty on barley and oats was not sufficient to protect the English farmer from competition, the result would therefore be that the farmer would keep more cattle on the produce of his farm. But what he complained of was, that these great experiments all affected one interest only, and that was the agricultural interest. That interest would have to sustain all the risk, while it could by no possibility obtain any advantage. His noble Friend had said that he did not think the price of meat would be reduced by this alteration of the tariff; if so, then why did the Government excite this panic throughout the country? If the consumer would not be better off, why induce him to entertain hopes that would be disappointed? One effect had already taken place in the reduction of wages. In consequence of the tariff, and of the Corn-laws, agricultural wages had been already reduced. He, however, hoped that the farmers would not reduce the wages of their labourers, if they could possibly pay them, for there was no worse economy than that of badly paying labourers. If his noble Friend had complied with the requisition made to him by many friends of the Government, and had put the tariff in a way in which it could have been satisfactorily argued, it could not have failed to have done a great deal of good. He did not wish to speak strongly upon this subject; but he felt it right, and a duty he owed to himself, to express his opinion, though what fell from him might not be worth much either there or elsewhere. He did not wish to say more: he did not wish to say there was great danger to be apprehended from these changes; he only desired to express his own great and deep anxiety upon the subject. He was far from wishing to alarm the farmers by any observations that might fall from him; on the contrary, he would recommend the farmers not to be alarmed, but to entertain the hope that they might by industry and skill be able to pursue the course they had heretofore pursued, for he felt that all opposition on their part at the present time would be of very little service. At the same time he did hope and trust that if his noble Friend should have the opportunity to read the papers which had been forwarded to him, he would read them. His noble Friend should remember that firmness was a virtue to a certain extent, but after a certain extent it became obstinacy. He would not give any notice of an intention to oppose the tariff. He did not wish to pledge himself upon the subject; but he was extremely anxious that his noble Friend should read the papers which had been sent to him from every part of the country, and then he would agree in the opinion that considerable alarm had prevailed among the farmers as to the effect of the intended alterations.

Earl *Fitzwilliam* said, that it was not his office to endeavour to reconcile the different parts of the tariff, but he could not help expressing the satisfaction which he derived both from the speech of the noble Earl opposite and also from the speech of the noble Duke on the cross benches. That noble Duke had followed the example of the noble Earl in declaring that he was not an advocate for prohibition. This was a great step gained. The noble Duke, who had always been—though he, perhaps, would not allow it—a great advocate for prohibition, ["No, no,"]—the noble Duke had undoubtedly always been a great advocate for protection, and as such, he must place him in the category of those who were in favour of a protection which amounted almost to prohibition. It was, therefore, in his opinion, a great step gained, to find the noble Duke now declaring that he was not an advocate for prohibition. He could not refrain from adding his own testimony to that of the noble Earl opposite, as to the unfounded alarm which existed on this subject, and he was justified, *à fortiori*, in supposing that the alarm on the subject of the Corn-laws was equally unfounded. The noble

Earl had mentioned the foreign countries from which an importation of cattle might take place, and had correctly stated that such an importation would not lower the price of cattle in this country in ordinary circumstances, but would merely prevent an undue rise in the price of cattle and meat in this country. The noble Earl had correctly stated that such would be the effect of the alteration in regard to cattle, and such, he believed, would be the effect in regard to corn. He had always stated that the farmers need not look, in the event of a reduction of the duty on corn, with any alarm on such an alteration, in the belief that it would lower the price of corn in ordinary times, and that such an alteration would only have the effect of preventing an extravagant rise of price in the case of a deficient harvest. That he apprehended would be the effect of an alteration of the Corn-law. It was perfectly true that France did not raise cattle sufficient for her own consumption, and that she was obliged to import cattle from Germany. What had the French graziers done? They had addresssd the French Legislature, and had obtained what they called a protection against German cattle. What had been the recoil of that blow made against German cattle for the purpose of protecting the home trade? The effect has been to put a stop to the importation of French commodities into Germany, and such would always be the effect of protecting or prohibitory laws.

The Duke of *Richmond* said, that he had never been the advocate for prohibition in regard to corn or anything else. All he contended for was a protection to the English farmer equivalent to the taxes which he was called on to pay.

Lord *Kinnaird* said, that he thought the argument for the alteration of the duty on cattle applied with equal force to an alteration of the duty on corn, and from what he had heard to-night, he did not despair of seeing the noble Earl opposite (the Earl of Ripon) either bringing in or supporting a bill for the repeal of the Corn-laws. The noble Duke who sat on the cross-benches (the Duke of Richmond) said, that the farmers deserved great praise for the manner in which they had consented to the late alteration of the Corn-law. They might deserve praise, or they might not; but for his own part he saw no reason for giving it them, because they had got a very good bargain, for ever since the Corn-bill had been passed prices had been rising, and he had good authority for stating, (at least it was his belief) that in six weeks corn would be admitted at the 1*s.* duty. In regard to the averages, he was led to believe that there was some difference between England and Scotland. The averages in Scotland were much higher than in England; and he found on inquiry that this arose in consequence of the English farmers being interested in keeping down the averages, and giving a return of all the inferior grain which they sold, whilst in Scotland the farmers were not so interested, and did not make any return of the inferior grain sold, which was generally consumed in making spirits in malting and other purposes. In regard to the distress of the country, he wished to ask the Government if they had any objection to state the reason why at the present moment they had thought it expedient to advise her Majesty to issue a begging letter, soliciting subscriptions for the relief of that distress? They had been told that the distress was only temporary, but it had been in existence since 1837, it would appear from such a letter having been issued that it was increasing, and that at this moment there was little or no prospect of its being decreased. He had been informed that that letter had been issued in consequence of communications received by the Government from different parts of Yorkshire and Lancashire, and he wished to know whether any objections to produce these communications to the House. His noble Friend near him had informed him that he had heard the letter read at the church which he attended last Sunday, and he wished to know why her Majesty had been advised at the present moment to issue such a letter? [The Earl of *Ripon* was not aware that such a letter had been issued.] Did her Majesty's Government mean to say, they did not know anything of such a letter—did her Majesty's Government mean to say that it was not issued by their authority? This only made the matter more deserving of inquiry; and he now gave notice that he should move for a copy of the letter, and on Thursday week, he would move for a select committee to inquire into the cause of the present distress of the country. He hoped there would be no objection to this, inasmuch as their Lordships were not burdened with business at the present moment; and the only thing they did, was to throw out good measures, and pass bad ones.

The Duke of *Richmond* said, the noble

Lord made an unfounded attack on their Lordships' House, when he asserted that they only threw out good measures and passed bad ones. In regard to what the noble Lord had said of the farmers of Scotland he thought that he knew a great deal about them, but he had never heard of their selling wheat for the purpose of being malted. The noble Lord ought not to talk on a subject which he did not understand. Had he mixed more with the agriculturists out of doors, he would not have made the mistake he had done in supposing that even the farmers of Scotland malted inferior wheat.

Lord *Kinnaird* explained: He had stated and again repeated, that the inferior wheat was sold for malting and other purposes, and was not included in the returns made by the farmers. He had paid great attention to agriculture from his youth upwards, and he had gained his knowledge of the effects of legislating on the question from studying the speeches which a noble Lord (Lord Ashburton) used to make on the subject.

Petition laid on the Table.

INCOME-TAX.] The Duke of *Richmond* presented a petition from Ross-shire against the proposed plan of taxing tenants.

Earl *Fitzwilliam* said, that this was a petition against the Income-tax. He did not think that the rent a tenant paid was any criterion of his profits, or even of his capital. He would take that opportunity to observe that wages were falling previous to the meeting of Parliament, and before the farmers had any idea that the Government would propose the measures they had done. The fall was not to be attributed to the change in the Corn-laws, but it arose from the want of a demand for agricultural labour in the manufacturing districts.

Petition laid on the Table.

THE QUEEN'S LETTER.] Lord *Kinnaird* then moved that the letter issued by her Majesty, calling on the clergy to make subscriptions for the relief of the national distress, be laid upon the Table.

The Duke of *Wellington*: Before moving for the letter, the noble Lord should be perfectly certain that such a letter had been written.

Lord *Kinnaird* said, that his noble Friend near him could certify to the fact, because he had heard it read last Sunday at church.

Lord *Colborne* said, he certainly was in the belief that he had heard such a letter read last Sunday.

The Duke of *Wellington* said, if there were such a letter, he would offer no objection to the production of a copy of it.

The Earl of *Ripon* suggested that the noble Lord should give notice of his motion.

Lord *Kinnaird* then gave notice, that on Thursday next he would move for the production of the letter.

Adjourned.

HOUSE OF COMMONS,

Tuseday, May 24, 1842.

MINUTES.] NEW WRIT.—For the County of Meath, *vice* Daniel O'Connell, Esq.

BILLS. *Public.*—1°· Primrose Hill.

3°· and passed:—Incumbents Leasing (No. 2).

Private.—Reported.—Tyne Fisheries; Haddingtonshire Roads; Stockton and Hartlepool Railway.

3°· and passed:—Faversham Navigation; Liverpool Improvement.

PETITIONS PRESENTED. From the Trade House of Glasgow, in favour of the proposed Commercial Reforms and Financial Measures.

AFFGHANISTAN.] Sir *R. Peel* said, that his hon. Friend had given notice of a motion for Thursday next, for copies of certain official correspondence with respect to the affairs on the north-western frontier of India. He (Sir R. Peel) thought, that in the present state of affairs in Affghanistan, the House could not advantageously enter upon the discussion, and as he should on Thursday be obliged to decline to grant the required information, he would express a hope, that on public grounds, his hon. Friend would consent to postpone his motion.

Mr. *Baillie* would consent, at the request of the right hon. Gentleman, and on the grounds he had stated, to postpone this motion from Thursday next. He could not, however, withdraw it, although he could not then fix a time when he would bring it forward.

CAPTAIN ELLIOT—TEXAS.] Sir *R. Peel* said, that the hon. Gentleman, the Member for Montrose (Mr. Hume) had the other evening asked him, without any circumlocution, a series of questions relative to the mission of Captain Elliot to Texas, which he had also, without any circumlocution, answered. If the hon. Gentleman had not so put his questions, he should not have been prevented from making some observations; and from stating, that whatever might have been the conduct of Captain Elliot in the difficult situation in which he had been placed, he must say, that although he did not know that hon. Gentleman before the intercourse he had since with him, he had every reason to place confidence in the integrity and ability with which he would perform his duties. This was a spontaneous intimation on his part, and he must declare that there was nothing in his correspondence with Captain Elliot to show that full confidence might not be reposed in his integrity and ability.

Medical Charities (Ireland).] Mr. *M. J. O'Connell* asked the noble Lord, the Secretary for Ireland, whether it was the intention of her Majesty's Government to bring in a bill during the present Session to regulate the medical charities in Ireland?

Lord *Eliot* was sorry that he was not able to give a positive answer to the question of the hon. Gentleman. He had no hesitation in saying, that in his opinion, a bill was much wanted, and acting upon that opinion, he had directed the Poor-law Commissioners to prepare a bill founded on the report of last year. He was not then aware that this report was open to objection, but he now found that considerable objections were entertained to it by the medical profession; he had been in communication with those gentlemen, and without expressing any decided opinion, he hoped that the difficulties would be removed, and that he would be able to lay on the Table during the present Session a bill which would be satisfactory to all parties. In the state of the public business, however, he could not say when he would be able to proceed with such a bill.

Customs Acts—The Tariff—Cattle.] Sir *R. Peel* moved that the House resolve itself into a committee on the Customs Acts Bill.

Mr. *Labouchere* said, that the sugar duties formed a part of the tariff, and it was only reasonable that they should receive a separate discussion; he would, therefore, ask the right hon. Gentleman whether it were his intention to introduce the Annual Sugar Duties Bill before the tariff had gone through committee? For, if so, it would, perhaps, be better to take the discussion on the bill rather than on the tariff. He apprehended that the sugar duties were only introduced into the tariff for the sake of uniformity, and that they were only to be renewed for one year, otherwise a great constitutional question would be involved.

Sir *R. Peel* thought it right to put the sugar duties in the tariff, that the House might have a full view of the alterations he proposed to make. He thought it better, however, that the discussion should be taken on the usual bill. He would, therefore, give notice that on Friday week he would take a separate vote on the sugar duties, without reference to the progress they might have made with the tariff, if, unfortunately, they should not have proceeded so far with the tariff. At any rate, he would give precedence to the sugar duties on Friday week, and not take any vote on the question of sugar in the tariff.

House in committee.

On the question that the duty on oxen and bulls be 20*s.* per head from foreign countries, and 10*s.* per head from British possessions.

Mr. *Miles* now thought it necessary to enunciate a proposition he had to make to the committee, particularly after what had occurred last night, He admitted that they should look to the interest of the consumer, as well as to the producer of live cattle; and it was his wish to take as his basis the duty suggested by the right hon. Gentleman. As he understood the right hon. Gentleman, he meant to keep a duty of 1*d.* a pound on the dead weight, that would amount to 9*s.* 4*d.* the cwt., and that same rate of protection he required for live cattle. Then came the question how they were to reduce live weight to dead weight: this was a matter of such difficulty to determine with accuracy that he would make one proposition to embrace sheep, pigs, cows, and oxen. He would take the very highest deduction that was ever made from the gross weight of the animal to reduce the live to the dead weight. He would take the deduction at two-fifths. If they took two-fifths from 9*s.* 4*d.* they would have a duty of 5*s.* 5½*d.* per cwt.: he would say for the duty 5*s.* 6*d.*: and declare that for every beast imported for every cwt. of the live weight the duty should be 5*s.* 6*d.*, and to make both equal he would raise the duty on the dead weight from 8*s.* to 9*s.* 4*d.* If the right hon. Gentleman would consent to this alteration, all the alarm of the agricultural body would be at an end, and he would be only doing justice to the agriculturists as well as the consumer. As he had last night trespassed so long on their attention, he would not then say any more, but express a hope that the House would receive his proposition with favour, and declare that in lieu of a duty of 1*l.* per head for oxen and bulls there be levied a duty of 5*s.* 6*d.* per cwt.

Sir *R. Peel* derived great consolation from the declaration of the hon. Gentleman, that if he would adopt a 9*s.* 4*d.* duty, instead of an 8*s.*, he would remove all the apprehensions of the agricultural body, as far as meat was concerned. He could not have been far from the mark, therefore, as to meat. If live cattle only weighed four cwt., after deducting the two-fifths, the hon. Gentleman's proposal would only raise the duty 2*s.*, and although of course the duty would be higher for heavier cattle, he would tell the hon. Gentleman why he could not consent to his proposal. He thought that the duty he proposed upon meat and cattle was ample and sufficient. He thought that if lean cattle had a free admission, the agricultural body would derive a great advantage. As far as lean cattle was concerned, the duty of 1*l.* was sufficient, and the agriculturists would have a right to complain if he flung upon them only fat instead of lean beasts. The hon. Gentleman's duty would discountenance the importation of the heavier sorts of lean beasts, which afforded the least profit to the farmers. With respect to fat beasts it was not the amount of duty but the distance, the small area from which a supply could be obtained, and the difficulty of transport to this country that was the real protection. He hoped, therefore, that his hon. Friend would not think it disrespectful to his opinion if he adhered to his own proposal.

Mr. *Pusey* thought that he could make a useful suggestion. He was satisfied that the right hon. Baronet, equally with his hon. Friend (Mr. Miles) and himself, was desirous of promoting the agricultural interests; their difference was not one of principle, but of detail. The right hon. Gentleman the Vice-President of the Board of Trade (Mr. Gladstone) said that the duty on live cattle was equal to that on meat; but in the opinion of every farmer in the country with whom he had conversed it was not so. He would not propose to refer a mere matter of taxation to a committee of the House, but this being a matter of detail, he thought it was a fair subject of investigation before a select committee. There was a precedent for such a course in the committee now sitting on the Grinding Bill. If such a committee were granted, there need be no delay, for in five days he would be prepared with evidence to show that there was inconsistency in the right hon. Gentleman's own proposals. They had produced alarm among the farmers in this country, for they clearly saw the inconsistency, and supposed that those who made such a proposal were not as well acquainted with their interests as they ought to be. An opinion prevailed amongst the farmers which he conceived a just one, that their interests were misunderstood, and he would be prepared with the evidence of practical men upon this point. He hoped, therefore, that the right hon. Baronet, when he considered the magnitude of the interests which he and his hon. Friends around him represented, would be ready to accede to the appointment of a select committee of inquiry.

Sir *R. Peel* said, that it was admitted by his hon. Friend the Member for Somersetshire that it was very difficult to determine the exact amount of protection which should be given between live and dead cattle, he therefore fixed upon one sum of 5*s.* 6*d.* for pigs, sheep, oxen, and cows; and if so great a judge found it difficult to say what the amount of protection should be, he did not believe that a committee of the most consummate graziers could come to any definite conclusion on the subject. It appeared to him that it was for the House to decide for itself upon the matter of its general judgment. If he yielded to the suggestion of his hon. Friend, he should be equally obliged to give way to parties interested in other articles. Why not, for instance, have a select committee upon the subject of the proposed reduction of duty on spermaceti oil? or upon the subject of the proposed reduction of duty on seed, to see that the duty on one seed was just equivalent to that on another? The House ought to consider first whether it was fit that prohibition should be removed, and if they were satisfied, then, from their general information and judgment, they should impose such a duty as would do justice to the producer and to the consumer; if they attempted a more definite plan they would fail. By consenting to the present motion he would be involved in endless difficulty and delay, and his hopes of a speedy progress with the tariff would be disappointed because he must consent to committees on many other of the 1,100 articles in the tariff.

Mr. *Pusey* could not admit the justice of the right hon. Baronet's arguments, because he assumed that his hon. Friend and himself were not disposed to relax the existing tariff, but he was as ready to become a reformer in agricultural matters as the right hon. Baronet himself. He wished to make the new tariff as consistent as possible, and only desired that it might be rendered such as would enable the friends of the agricultural interest to give their assent to it without abandoning their duty towards those who sent them to Parliament. He wished to promote the passing of the tariff, but if they must fight it inch by inch, it was not their fault. They could not, however, look the farmers in the face, if they consented to what they believed to be opposed to the farmers' interests.

Colonel *Wood* represented a county from which lean cattle came, and the farmers had suffered a great deal from the alarm which had been got up. He thought that alarm unnecessary, and he was glad to hear that it was fast dying away. The accounts he had received of the last fair was that it was very much improved. It was delay which was to be feared, and he trusted that the House would not delay coming to a speedy conclusion as to what the duty was to be. He thought that 1*l*. was a fair duty for the farmers, and that there was little fear from the cattle which would come from other countries; he did, however, fear delay and alarm. His hon. Friend said that he could not look the farmers in the face if he supported this duty. He had no such fear when he was conscious of doing his duty. They ought to recollect that there were other claims besides those of the farmers. He should remember that there were farmers-men, and that there was a large manufacturing population. What would they think of the House when they found them deliberating whether a dead ox should pay a duty of 8*s*. or 9s. 4*d*. the cwt. Do not let them fall out upon all occasions. They ought to endeavour to get rid of all unnecessary alarm, and above all, let them not forget the good old English maxim of "Live and let live." He said let them pass this tariff, and as far as the agricultural produce was concerned, he firmly believed that the honest English farmer would suffer no detriment.

Mr. *Milner Gibson* viewed the tariff only as one step in advance towards unlimited free-trade, and thought that those hon. Members who professed to look upon it in any other light, did but attempt to practise upon the credulity of farmers. He really hoped that hon. Gentlemen would not persist in following this course —that they would not persist in deluding the farmers into making new contracts and entering into new engagements in conformity with the existing state of things, when they perceived that the present laws by which their peculiar interests were protected must give way—when they saw that the tide of public opinion was gradually, but steadily, setting against their continuance, and when they saw that a large party had been formed, assisted by ample funds, and backed up by the good sense and intelligence of the country, which would not rest one day until they had secured the total abolition of all restrictive duties on food. He was speaking the plain truth on this question, for he felt that it was a duty which they owed to their fellow-countrymen not to allow them to be gulled into a belief that any serious intentions were entertained to allow the existing Corn-laws to continue much longer. It had been said that it was to distance and to the difficulties attending the importation of live cattle and other commodities of food that the agriculturists must chiefly look for protection; but if that were the view entertained by the Government, he begged to ask upon what principle it was that any duty need be retained at all upon such articles? If the right hon. Baronet really entertained this view, he was surprised that he had not been induced to propose a much lower rate of duty on the importation of cattle than that which he had brought forward. He believed that a great deal of superfluous protection had been taken away, but he thought that a sufficient duty had been still left to prevent the introduction of foreign salted meats and cattle into this country. He fully agreed with the right hon. Baronet upon the grounds on which he had opposed the proposition of the hon. Member for Berkshire for a select committee upon this question; but he should like to hear by what process of reasoning the right hon. Baronet had arrived at the result that 20*s*. per head for oxen, and 8*s*. per cwt., was the exact amount of duty which ought to be levied. Until he heard this question explained, he must say that he thought that the House had as good reason to expect a just conclusion to be arrived at by a committee as by the right hon. Baronet. He would not throw any obstacles in the way of this reform, but he must say that neither he nor the constituency which he represented had any anticipation that trade and manufactures would be revived by its operation. He had not been informed by any one whose opinion he held to be worth taking that such would be the result, and he could assure the right hon. Baronet that there was now as earnest a desire through the country to obtain still greater commercial freedom as any which had ever existed.

Mr. *R. Palmer* thought that if anything was calculated to create alarm amongst the agriculturists, it was the speech of the hon. Gentleman who had just sat down. He did not know whether the opinion of that hon. Gentleman would have any very great weight with the House, but the idea which he held out was that the farmer must look about him, and that the existing laws had ceased to be that safeguard they were supposed to be, and that they would not be maintained was very likely to cause considerable apprehensions. At the same time he could not help feeling that the Government had also given cause for alarm; for after the propositions made by the right hon. Baronet, and the manner in which they had been cheered on by hon. Gentlemen opposite, he must say, that he thought they had some reason to apprehend that the time was not very far distant when an attempt would be made to deprive them even of the little protection which was to be left to them. The hon. Gentleman opposite had alluded to the workings of the Anti-Corn-law League; but however ready the agriculturists might be to yield to reason, he was sure that no good would be found to arise from any threats being held out of anything which was likely to proceed from the workings of such a body to deprive the agriculturists of their protection. With respect to the motion of his hon. Friend, he looked upon it as only carrying out in practice the principle which he had advocated last night, and he should therefore give it his support.

Mr. *Ward* said, that the hon. Member for Berkshire had correctly described this motion. It was a covert attempt to carry out the motion which the House had last night rejected by an overwhelming majority. If there were no parties to this question but hon. Gentlemen opposite and their constituents on one side, and the Government on the other, then a compromise might be admissible, but there was a much larger body more deeply interested in the question than either of them, and that was the great mass of the consumers of the country. He had listened with great satisfaction to the speech of the First Lord of the Treasury, repelling this insidious proposition; he looked upon it, that the proposition was meant merely as a waste of time, to break down the present purposes of the Government, and, if possible, to pave the way for the adoption of a little more protection. If he had any complaint to make against the tariff it was, that it did not go far enough; and he thought that while hon. Members spoke of the improper removal of protection from the interests of their constituents, they ought to recollect that there were other higher and more binding duties entrusted to them than those involved in the upholding of the local interests of those parts of the country from which they came, and that it was the duty of the House to look as much as they could to the general happiness of the country. That was the view which he took, and he placed himself at the disposal of the Government whenever any attempt was made to assert the views of class interests over those which belonged to the general welfare. With reference to what had fallen from the hon. Member who had last spoken, he much doubted whether the speech of the hon. Member for Manchester was calculated to produce more alarm than the announcement of the proposition of the right hon. Baronet would have produced last year. He thought that it was by degrees only that they could hope to gain the complete object of their exertions, but he looked upon the tariff as being one step towards that which they desired. The tariff was valuable in itself, but he attached much greater value to the speeches of its supporters. If they would read corn for cattle throughout the speech of the right hon. Gentleman the Vice-President of the Board of Trade last evening, the right hon. Gentleman would be very much puzzled to give anything like a decent answer to his own argument; and when the Corn-law should next year come under discussion, that speech, no doubt, would be referred to, and the right hon. Gentleman would be much embarrassed by his own arguments in favour of the additional relaxation of the duties on food. He thought that he might fairly say that they were approximating towards a general conviction on all sides of the importance of free-trade, and that they had tried the system of factitious protection long enough, and that they should be no longer disposed to prop up one interest at the expense of others. He should support the tariff wherever he thought that it was opposed to class interests, reserving to himself, however, the maintenance of any principle in connection with it which he looked upon as being important.

Mr. *Buck* observed, that when the right hon. Baronet had brought forward his scale of protecting duties on corn, he had given it his support—when the right hon. Baronet brought forward his Income-tax, he considered it his duty to support him, because he conceived that it was the best means of rescuing the country from difficulties abroad and embarrassments at home. It was with extreme regret that he felt called upon to oppose the right hon. Baronet on the tariff. It was the wisest policy of this country to maintain, not only the agricultural but the commercial and other interests, and therefore, he was averse to a total system of free-trade, which he believed would be thoroughly inimical to all the great interests of this country. He never knew an instance of any alarm being so great as when the tariff was proposed. The opinion of the farmers was entirely against it, and if such was their opinion then, it would not be changed by either of the speeches which he had heard last night from the right hon. Baronet or from the Secretary of the Board of Trade. The agriculturists had not fears of immediate competition, but when they reflected on the immense capabilities of the Continent, they could not but feel the greatest alarm. It was said that the tariff was to have an effect favourable to the poor, and was to relieve them from those distresses to which they had been unhappily exposed; and while speaking of the poor, he could not help referring to their laudable conduct under all their distresses and miseries in resisting the pernicious doctrines of the Anti-Corn-law League, which had promulgated doctrines, that would tend, if carried out, to aggravate their distresses in a ten-fold degree. But he must declare his belief that the tariff would not have the effect which was attributed to it; and he thought that the best proof which he could give that this was a just conclusion was afforded by the great discontent which still prevailed throughout all classes upon this subject. He wished for the same proportionate scale of protection to cattle that was given to corn. One part of the speech of the right hon. Baronet applied to the county with which he was connected. He admitted that in that county cattle had been extremely dear, but then it had arisen from peculiar circumstances. The feeders of cattle here could not compete with the feeders of cattle abroad, any more than the breeders in England could compete with the foreign breeders. To those hon. Gentlemen who sat near him, and who were the Friends of the agricultural interests, he begged to offer an assurance that they might rest convinced that the predictions which they had heard uttered would be fulfilled, that if they consented to free-trade in cattle, it would not be long before they would have great cause to regret that they had taken such a step, for they would find the hon. Member for Wolverhampton coming forward and calling upon them to carry out the principle which they had adopted, by opening a free-trade in corn. He believed that this proposition of the right hon. Baronet was inimical to the interests which he represented, and contrary to all the principles which he had ever advocated, and he should therefore oppose it.

Mr. *W. O. Stanley* considered that after the division of last night the ranks of the agriculturists must be deemed to be broken, and that any effort to oppose the free-trade measures of the right hon. Baronet would be unavailing. He believed that the right hon. Baronet would endeavour to carry out his free-trade principles, and would endeavour to take away all protection from cattle. From the last accounts which he had received from the county with which he was connected, he found that so far from the markets in that county being improved, the very reverse was the case; and he was convinced that it was time for the agriculturalists to look to their own interests.

Colonel *Wood* had told his constituents as he had told that House, that if he did not believe the manufacturing classes of society were just as much interested in the preservation of the Corn-laws as the agriculturists, he would not vote for them. He had told them that distinctly on the hustings. He had told them distinctly that he thought corn stood on different grounds from any other class of produce, and that he would support the Corn-laws for the benefit of all classes of society.

Mr. *Villiers* said, that had he heard the measure which was now proposed by the Government supported by facts, promises of great relief to the people, and had he observed a readiness on the part of the Gentlemen opposite to meet the proposition fairly, and not waste the time of the House by an unseasonable tenacity of their monopoly, he would also have observed the same economy of the public time, and at present he would have abstained from moving the amendment which he should now think it proper to move; and which was, that the duty should be 1*s.* in lieu of 20*s.*, as it was now proposed. It might be ineffectual, but he wished to mark the right of the people to have their trade in food free; and he did not, moreover, think that in anything which had fallen from the Government there had been such a recognition of the distress in which the people were involved as sufficiently proved the importance of every possible effort being made for their relief. They had heard of the possibility of meat rising and that the supply for an increasing population might be deficient, but they had not sufficiently heard of the defective supply to existing millions, who never were able to touch a morsel of meat owing to its price, together with the price of other provisions; and that was the state of the English population, and not one fact had been stated to show that there was the least prospect that this change in the law would bring animal food within their reach. All the statements went to prove that the difference made would be very slight indeed. Now, when the distress of the people was perfectly appalling, when disease was spreading fast among them, surely it was right to remove every obstruction to their obtaining food; and let not hon. Members imagine that this privation was peculiar to manufacturing districts where employment was peculiarly scarce. He held in his hand a passage from the official report of a commissioner under the Crown, who had been sent to the counties of Norfolk and Suffolk to learn the condition of the people he meant Dr. Kay, and let them hear what he said:—

"Dr. Kay states that the average expense of maintenance in the workhouses of Norfolk and Suffolk would be '18*s.* a-week, or about 50*l.* a-year,' for a man, his wife, and four children; and he found that of 120 families, whose number of children averaged 3·7 to a family, the annual income, including the earnings of the wife and children, was 35*l.* 9*s.* If the diet of the families out of the workhouses is in the same proportion, it will follow, the families of agricultural labourers, in the employment of the great agriculturists of Norfolk and Suffolk, are upon but little better than half diet. The gross income is 4*d.* a-day per head, and this furnishes the rent, firing, clothing, &c. as well as food. From a series of facts it appears that full diet cannot be procured by adults for less than 10*d.* a-day. Reduce it to 6*d.* for children, and the cheapness of coarse food, then the result will differ little from that stated above. The calculation proves to demonstration that the agricultural labourer can purchase scarcely any animal food. This appears to be the case—the family subsists upon potatoes, salt, bread (a limited quantity), and a small quantity of bacon. The food of the inhabitants of towns is as substantial as that of the agricultural labourer. The Poor-law inquiry and successive parliamentary committees have shown that the families of agricultural labourers subsist upon a minimum of animal food, and an inadequate supply of bread and potatoes. It will be seen with regret, that in the half-year the deaths of sixty-three individuals were ascribed (principally at inquests) to starvation; this is almost one annually to a population of 111,000. The want of food implies the want of everything else except water; as firing, clothing, every convenience, every necessary of life, is abandoned at the imperious bidding of hunger. Hunger destroys a much higher proportion than is indicated by the registers in this and in every other country, but its effects, like the effects of excess, and generally manifested indirectly, is the production of diseases of various kinds."

There was no reason to suppose that the counties of Norfolk and Suffolk were worse off than any other, and they might, therefore, judge by this what the condition of the agricultural labourers was throughout the country. No man hesitated to admit the frightful distress and privation that existed in the manufacturing towns. He would read from some of the latest accounts from Scotland, where distress prevailed to a great extent, and let the House judge whether they ought to delay in rendering them every succour to which by law they were entitled. The hon. Member read the following extract of a letter:—

"In a town not far from Stirling, a young man, of interesting appearance, was observed one morning to pass a huckster's shop, at the door of which a measure with some potatoes in it was placed. After passing the shop a little way, he returned and took one of the potatoes and then went away. The person in the shop allowed him to go without taking any notice of the circumstance. On the day after, the young man returned and did the same thing. On the third day he returned once more, and took another potatoe, on the fourth day he returned and took four or five potatoes, put them in his pocket, and went hurriedly off. This day, however, the shopkeeper had a police officer in waiting, along with whom he followed the young man till he entered his house. They went into the house immediately after him, and there they found an aged mother and two sisters dependent upon him for support. There was a pot upon the fire, if that could be called a fire, which was probably only a few embers. On the shopkeeper asking the mother of the young man, if she knew where her son had got the potatoes which he had brought in to her, she replied, 'No; I was afraid to ask.' He then went to the pot and took off the lid and on looking in, he found a portion of a dead dog, which the poor family was boiling to eat along with the potatoes."

[An hon. *Member*: That was owing to the new Poor-law.] New Poor-law! Why, it was at Stirling, in Scotland, where there was no Poor-law, and where the new Poor-law has never been in operation. It showed how well-informed Members opposite were on this matter. Perhaps they thought the state of Paisley was owing to the new Poor-law, where there are 15,000 people now unemployed and wanting food, and there was hardly a manufacturing district in Scotland that was not getting quite as bad as Paisley. Was it any wonder, then, that they should be feeding on dogs and stealing potatoes. Was it not horrid to think that in this wealthy country, boasting so much of its riches and civilisation, that the people were in their present condition? It was the fact that the people were far worse off now than they used to be four centuries ago. Cobbett quoted in one of his works a creditable authority to this fact, namely, Fortescue, the Chancellor of Henry the Sixth, who, in describing the state of the labouring people, spoke of them as follows:—

"They drink no water unless at certain times upon a religious score. They are fed in great abundance with all sorts of flesh and fish, of which they have plenty, every where they are clothed throughout with good woollens; their bedding and furniture are of wool, and that in great store; they are also well provided with all other sorts of household goods and necessary implements of husbandry."

It was, after this time, and when the privileged people of that day had been tampering with the food of the people, that we find in the preamble of a statute of Henry the 8th, a reference to the habits of the people, and a recital of the necessity of providing for their due maintenance. It ran as follows:—

"The preamble of this act notices that formerly, meat had been sold at moderate prices, so that especially poor persons might with their craft or bodily labour, buy sufficient for the necessity and sustenation of them, their wives, and children; but now, gracious Lord, all victual, and in especial beef, mutton, pork, and veal, which is the common feeding of the mean and poor persons, are so sold at so excessive price that your said needy subjects cannot gain with their labour and salary sufficient to pay for their convenient victual and sustenance; and the act then proceeded to fix the prices of the different kinds of meat, and beef and pork were to be sold at ½*d.* per lb., mutton and veal, ½*d.* to a ¼*d.* higher, and mayors and sheriffs were empowered to commit butchers who sold above the statute prices, and there was power to the justices of the peace to assess the price of fat cattle whenever the farmers and graziers refuse to supply the butchers at reasonable prices."

Who could venture to assert that the people were now in a condition referred to in that preamble. But judging from the spirit of hon. Gentlemen opposite, the people are in a more helpless state for procuring redress than they were then—for then, however arbitrary the power, it professed solicitude for the working people, and had power to give effect to its will. But he was sorry to say, that the landed aristocracy had always been more solicitous to keep up the value of their own properties than to provide for the welfare of other people, and they had frequently injured themselves as much as others by their conduct. In 1666, they had passed an act prohibiting the importation of all kinds of cattle from Ireland, and voted that trade with Ireland a nuisance. Here let Irish Members, who want to prohibit foreign cattle coming into this country because they have the supply, take warning of the mischief that that law did the projectors of it; let them hear an author, who was deemed an authority in those days, named Roger

Cooke, who wrote twenty years afterwards on the subject, and says,

"The ends designed by the act against the importation of Irish cattle, of raising the rents of the lands of England, are so far from being attained, that the contrary hath ensued."

That law was ultimately repealed, from the injury which it inflicted on this country, and the advantage it gave to foreigners. The same necessity existed now, for importing cattle from other countries for our own supply was clearly defective, and the evil consequences of a defective supply of food could hardly be understated. There was now an established and unquestionable connection between crime, pauperism, and death, and the price and quantity of food. A complete scale might be formed—as complete as that which regulates the imperial averages—showing the variations with the price of food in each of those calamities. He had in his hand a return of the number of criminals in each of the last five years, and during which the price of food had continued high. The hon. Member read the following return:—

	Number of Criminals.	Average price of Wheat.
1835	20,731	39*s*. 4*d*.
1836	20,984	48 6
1837	23,612	55 10
1839	24,443	64 7
1840	27,187	70 8

It was the same with the poor-rates, marking the increase of pauperism on the amount of the burden; and he believed he was correct in stating that the increase was 25 per cent. above the years when the food was cheap; and notwithstanding the effects of the new Poor-law which latterly had been in operation. He had already referred to Dr. Kay's opinion on the influence of bad living on disease and death—confirmed as it was by numberless facts throughout the country. He would not detain now the House longer; he saw hon. Gentlemen wanted to go to dinner, but all he had to ask was, that they would let those whose cause he was pleading have some dinner also, for that was the matter now in question. The people wanted the means of dining, and the matter in dispute was the amount of obstruction that House would cast in the way of the people getting something to eat. He said they ought to cast none, but do all in their power to procure the people abundance of food. Let them remember the universal admission of the distress of the people. He presumed they were all about to exhort their neighbours to attend to the Queen's letter which had been read from the churches. How could they do that better than by setting the example themselves? and how could they do that with more service than when they did what was just by the people? The fact was that all the people wanted was justice—they did not seek favour—and that could only be rendered in this instance by removing the tax altogether; and really they had no more right to put a tax on the importation of the people's meat for their own purposes than they had to tax the meat in the butcher's tray going to its destination. It was an enormous wrong, productive of enormous evil, and maintained for no earthly purpose, but that of keeping up their own rents. Let them, then, run the risk of losing a little of their vast rents to do a great act of justice and a great act of charity to the suffering people. The measure proposed, they had been told, would not be felt by them; he exhorted them, then, to do something that would be felt—something generous — something that the people would bless them for doing. Consider that the Agricultural Society, of which many opposite were members, had declared that the rent of land in this country amounted to seventy-seven millions a-year. Before they could plead the cause of the farmer or the labourer in maintaining their monopoly, that must disappear. Let them, then, run the risk of a slight sacrifice—let them expect to recover it by the cheapness of their own living, and by the good-will they would inspire towards them on the part of the community—and let them cheerfully consent to the removal of the odious impost on the people's food. The hon. Member concluded by moving that the blank in the resolution which it was proposed should be filled up with 20*s*., be filled up with one shilling.

Mr. *B. Escott* was understood to say, that in his opinion the proposed measure was good in proportion as it diminished the difficulties which the present laws imposed in the way of importing cattle, and therefore the plan of the Government should have his support. He believed the interests of agriculture would be aided by the measure. ["Divide, divide."]

Mr. *H. R. Yorke* said, amidst continued interruptions, that the placard to which the hon. Member for Brecknockshire (Colonel Wood) had alluded had merely been exhibited in the city of York by way of joke, and that it had so been understood by the farmers and others of the district.

Lord *J. Russell* said, that he certainly, for one, was not very much surprised at the panic created by the joke alluded to by the hon. Member for York, and which could only be supposed to be a mere pleasantry, because, although the statement contained in that placard was very absurd with regard to the cattle that might be imported into this country, still it was not more absurd than many of the statements made last year about corn, and as to the amount of corn which this country was to receive from a certain province of Russia. He thought it was but fair—he thought it was but even-handed justice—to commend "the poisoned chalice to their own lips." With respect to the proposition now before the committee, he could not vote for the amendment of the hon. Gentleman opposite. He conceived that by the vote of last night he had agreed to a decision of that question, on which the committee would not be called upon to make any alteration. He could see the difficulty under which the hon. Gentleman laboured, when he felt bound to make some proposition that should appear to be rather in favour of the farmers, yet (as the hon. Member stated last night) should, if carried, in no way be calculated to force upon the right hon. Baronet opposite (Sir R. Peel) the necessity of resigning office; and therefore the hon. Member (Mr. Miles) had been obliged to make a proposition which, without being of very essential advantage to the farmer, would make an alteration in the plan of the Government which, at least, would be inconvenient. But he begged to call the attention of the hon. Member to one statement with respect to the importation of cattle to which Mr. Meek's report referred, and of which, it appeared to him, the hon. Member had lost sight. He did not think the result of the Government plan would be a large importation of cattle into this country from foreign parts, but such as it might be it would be, in great degree, forced by the operation of another law which regulated the importation of butter, cheese, and other agricultural produce. Mr. Meek, in his report, stated the amount of butter and cheese imported from Kiel and Hamburgh, and he stated, that in 1818, the import of butter from Kiel into this country was 1,000,000lb., while at the present time the import amounted to 4,000,000lbs.

> "This increase," said Mr. Meek, "was owing principally to the land being converted into pasture—a circumstance which was to be accounted for by the fluctuating nature of the corn averages in this country, which made it more advantageous to the producers to keep cows, and make butter, than by growing corn to incur the risk and uncertainty arising from the Corn-laws in this country."

Now, he thought that this showed the effect of the Corn-laws was to induce persons abroad rather to apply their land to grass; and if they looked to anything as a subject matter of commerce with this country to look to the exportation of cattle, and if it were desired to prevent that exportation from being excessive, the best thing the Legislature and the Government (if the present plan of the Government was agreed to) could do, would be to make the corn duties agree with the duties on cattle, and thus foreign countries would not be forced into an unnatural direction, and the farmers of this country need not be afraid of any excessive importation of cattle. This, he repeated, was an affair which was occasioned simply by the regulations which this country had put in force. So neither should he vote for the proposition made by his hon. Friend, the Member for Wolverhampton. For his own part, he would say, that if the Government had proposed it, he should not have had the least difficulty in assenting to a duty of 1*s.* a head; but the proposition of the Government was 20*s.* per head upon cattle imported, and that seemed to him to be a fair and moderate proposition; that rate of duty was not excessive, for if the price at Hamburgh was taken at 12*l.* a-head, the duty on importation into this country would be about 8 per cent, as stated in Mr. Meek's report. This, he repeated, was not excessive, and, therefore, as it was proposed by the Government, he should not like, for the sake of pure opposition, to oppose that which he thought to be a great improvement in the tariff at present existing. With regard to other propositions that might be made, he could only say that there were many things in the proposed tariff in which, in his judgment, some alteration would be desirable; but, at the same time, if he thought that the proposition made by the Government was good in itself, and that he could agree with them in its principle, he certainly should be disposed to give it his support.

Sir *R. Peel:* The course the noble Lord intends to pursue, almost induces me to refrain from making any statement with regard to the particular province of Russia to which the noble Lord has alluded. The noble Lord charges us with having increased the apprehensions, and added to the alarm which already prevailed in the country, by stating the immense amount of corn that would be imported from a province of Russia into our markets. Just let me remind the noble Lord and the committee of the real facts of the case. The noble Lord, or the late Government, appoints as a commercial agent at St. Petersburgh a gentleman well able to afford commercial information to this country. The late Government volunteered to get correct information as to the extent of the supply of corn that could be derived from foreign countries. Their consul, appointed on account of his commercial qualifications, informs the Government that 38,000,000 of quarters of wheat—he begged pardon—of corn, could be brought from a certain province of Russia. Her Majesty's late Government were then intent upon an alteration of the Corn-laws; and though, of course, they had read that information, still they had never thought it worth their while to inquire of their informant—this commercial agent—upon what basis this piece of information was founded. They never put that question, but they had printed for the information and instruction of Parliament and the country the statements they had derived from such a high authority on the subject of the capabilities of Russia as their commercial agent or consul. This information was in their possession for several months, and yet he was the first person to say, that it was a most astounding statement; and accordingly he asked if there was not an error on the very face of it. On reference to the original despatch, it was found, that the 38,000,000 quarters of corn appeared, not in figures, but at length, in the handwriting of the consul himself. And there it remained, without any attempt on the part of the late Government, to clear up the manifestly apparent mistake; and then the noble Lord charges us with continuing this mistake, which originated with, and was derived from their information. Now, he must be permitted to say, that the noble Lord was more responsible for those exaggerated apprehensions of which the noble Lord spoke, for the printing and circulating this information at the expense of the country, until he and the Government with which the noble Lord was connected found out the mistake, and then, when it was pointed out, they wrote to their consul to ask if his information was correct.

The committee divided, on the question that the blank be filled up with the words "One Shilling."—Ayes 44; Noes 209;—Majority 165.

List of the Ayes.

Aglionby, H. A.
Aldam, W.
Bodkin, J. J.
Bowring, Dr.
Brotherton, J.
Browne, hon. W.
Christie, W. D.
Cobden, R.
Colebrooke, Sir T. E.
Crawford, W. S.
Dennistoun, J.
Duncombe, T.
Dundas, A.
Easthope, Sir J.
Elphinstone, H.
Gibson, T. M.
Humphrey, Mr. Ald.
Johnston, A.
Marshall, W.
Marsland, H.
Martin, J.
Mitcalfe, H.
Muntz, G. F.
Napier, Sir C.
Oswald, J.
Parker, J.
Pechell, Capt.
Philips, M.
Protheroe, E.
Scholefield, J.
Scott, R.
Smith, B.
Somerville, Sir W. M.
Stansfield, W. R. C.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Thornely, T.
Troubridge, Sir E. T.
Ward, H. G.
Wawn, J. T.
Williams, W.
Wood, B.
Yorke, H. R.

TELLERS.

Hume, J.
Villiers, C.

List of the Noes.

Acland, Sir T. D.
Ackers, J.
Alford, Visct.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Archbold, R.
Ashley, Lord
Bagge, W.
Baillie, Col.
Bankes, G.
Baring, rt. hon. F. T.
Barnard, E. G.
Barrington, Visct.
Beckett, W.
Bell, M.
Beresford, Major
Blackburne, J. I.
Blackstone, W. S.
Bodkin, W. H.
Boldero, H. G.
Botfield, B.
Broadley, H.
Broadwood, H.
Buck, L. W.
Buckley, E.
Buller, C.
Burrell, Sir C. M.
Burroughes, H. N.
Busfield, W.
Campbell, Sir H.
Campbell, A.
Cardwell, E.
Carew, hon. R. S.
Cavendish, hon. C. C.
Cavendish, hon. G.H.
Cayley, E. S.
Chelsea, Visct.
Chetwode, Sir J.
Chute, W. L. W.
Clayton, R. R.
Clements, Visct.

Clive, hon. R. H.
Codrington, C. W.
Collett, W. R.
Colvile, C. R.
Corry, rt. hon. H.
Courtenay, Lord
Craig, W. G.
Cresswell, B.
Damer, hon. Col.
Dawnay, hon. W. H.
Dawson, hon. T. V.
Denison, E. B.
Divett, E.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Duff, J.
Duncan, G.
Duncombe, hon. O.
East, J. B.
Eaton, R. J.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Esmonde, Sir T.
Evans, W.
Farnham, E. B.
Fellowes, E.
Fitzroy, Capt.
Flower, Sir J.
Follett, Sir W. W.
Forster, M.
Fuller, A. E.
Gaskell, J. Milnes
Gill, T.
Gladstone, rt.hn.W.E.
Glynne, Sir S. R.
Godson, R.
Gore, M.
Gore, W. R. O.
Gore, hon. R.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greenall, P.
Grimsditch, T.
Hamilton, W. J.
Hampden, R.
Harcourt, G. G.
Hardinge,rt.hn. Sir H.
Hardy, J.
Heathcote, G. J.
Heneage, G. H. W.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hodgson, F.
Hodgson, R.
Hogg, J. W.
Holmes,hon.W. A'Ct.
Hope, hon. C.
Howick, Visct.
Jackson, J. D.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnson, W. G.
Jones, Capt.
Kelburne, Visct.
Kerrison, Sir E.
Knatchbull, right hon. Sir E.
Labouchere, rt. hn. H.
Langston, J. H.
Lascelles, hon. W. S.
Legh, G. C.
Lemon, Sir C.
Lincoln, Earl of
Litton, E.
Loch, J.
Lockhart, W.
Lowther, J. H.
Lyall, G.
Lygon, hon. General
Mackenzie, T.
M'Geachy, F. A.
Mainwaring,T.
Manners, Lord J.
Marsham, Visct.
Marton, G.
Masterman, J.
Meynell, Capt.
Miles, W.
Mitchell, T. A.
Morgan, O.
Morris, D.
Morrison, J.
Mundy, E. M.
Murray, C. R. S.
Neeld, J.
Neville, R.
Newport, Visct.
Nicholl, rt. hon. J.
O'Brien, A. S.
O'Brien, W. S.
O'Connell, M. J.
Ogle, S. C. H.
Owen, Sir J.
Paget, Col.
Palmer, R.
Palmer, G.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Pigot, Sir R.
Polhill, F.
Pollock, Sir F.
Price, R.
Pringle, A.
Pusey, P.
Rashleigh, W.
Reid, Sir J. R.
Rice, E. R.
Richards, R.
Rushbrooke, Col.
Russell, Lord J.
Sanderson, R.
Sandon, Visct.
Scarlett, hon. R. C.
Scott, hon. F.
Seale, Sir J. H.
Seymour, Lord
Shaw, rt. hon. F.
Sheppard, T.
Sibthorp, Col.
Smythe, hon. G.
Somerset, Lord G.
Somerton, Visct.
Stanley, Lord
Stanley, hon. W. O.
Stewart, J.
Stuart, W. V.
Stuart, H.
Sturt, H. C.
Tomline, G.
Trollope, Sir J.
Trotter, J.
Tufnell, H.
Turner, E.
Tyrell, Sir J. T.
Vernon, G. H.
Vesey, hon. T.
Vivian, hon. Major
Vivian, J. H.
Vivian, hon. Capt.
Whitmore, T. C
Williams, T. P.
Wodehouse, E.
Wood, C.
Wood, Col.
Wood, Col. T.
Worsley, Lord
Wyndham, Col. C.
Yorke, hn. E. T.
Young, J.

TELLERS.

Clerk, Sir G.
Fremantle Sir T.

On the main question being again put,

Major *Vivian* rose to move, pursuant to notice,

> "That the duty on cattle, meat, and other provisions mentioned in the tariff, imported from the Canadas, be equal to the import duties from other foreign countries."

He said, that the principle which it had been sought to apply to other parts of the tariff did not, in his opinion, extend to meat imported from Canada. That would be no boon to Canada, because they did not rear sufficient cattle there for their home consumption, but were obliged to look to America to make out the supply. Hence the boon given by the proposed rate of duty would not be a boon to our colonists, but to a foreign country, and that one which we were accustomed to dread most—he meant the country included in the western states of North America, and extending to 70,000 square miles of land on the banks of the Ohio and Mississippi. The effect of the measure would be that meat would be sent from these fertile plains in immense quantities through Canada, and the boon to the inhabitants of the western states would be, that they would be enabled to supply this market at only 2*s*. duty. This, in his opinion, was unfair to the British agriculturist. For his own part, he was quite ready to vote for free-trade if it could be had generally; but as long as they kept up protective duties at all, the principle, he contended, ought to be applied in such a case as this. A great many agriculturists among his constituents, who were deeply interested in this question, had pressed upon him the necessity of some alteration of the Government proposal, and he trusted, therefore, that the right hon. Baronet would reconsider his determination.

Sir *R. Peel* doubted whether the hon. Gentleman had been happy in the article on which he had thought fit to bring forward this question; for it was on the question of the duty on oxen that the committee were then deliberating, and he did not conceive that there could possibly be any danger of importation of oxen from the banks of the Mississippi. The same, of course, with respect to fresh meat. To be sure, he had seen a haunch of venison brought from that country, but it was not quite in a state in which he should have liked to venture upon it. He did not think that it was necessary to go into the principle of the hon. Gentleman's proposed alteration. The House had discussed the principle very fully a short time ago; they had allowed this boon to Guernsey and Jersey, and he did not see why they should not allow it to the Canadas; for he did not see any great ground of apprehension that there would be any such influx of meat from that country as the hon. Gentleman seemed to apprehend. The hon. Gentleman, however, said there would be no boon to the Canadas, because, he said, they had no cattle there at present; but if cattle could be fed there so as to be converted into salt meat for exportation to this country, then, he thought, that would be a benefit to Canada. It would be a benefit to the colonist, and to a certain extent to the consumer also; but he did not think that the effect with respect to the quantity likely to be imported would be such as need give rise to any apprehensions. Therefore he trusted that the House would feel, that it was not wise to accede to the proposition of the hon. Gentleman, whose object, as he apprehended, was, to raise the amount of duty on all these articles of stock imported from the colonies to the same height as if they came from foreign countries.

Mr. *C. Buller* thought, that he could dispel the alarms of the hon. and gallant Gentleman as to the importation of meat from the western states through Canada, because, though the Ohio was connected by a canal with Lake Erie, yet nevertheless so circuitous would be the route down the St. Lawrence, not to speak of the rapids or the periods at which the passage was shut up by ice, that he thought more would be lost than gained by attempting such a speculation, and he must say, he thought that it would be found quite impracticable. Supposing, however, this country should be enabled to get American produce in such abundance as to cheapen food, he did not see any great danger in that, nor did he consider that to be an object against which the House ought to legislate. There might, perhaps, be an objection of a theoretical nature made against voting for this clause, on the ground of the great mischief of fostering trades in the colonies, not agreeably to their adaptation for those trades, but by means of protecting duties, with which the Legislature of this country was sure, eventually, as in the case of timber duties, to find themselves embarrassed; but he did not think, that this objection applied in this case, because he was of opinion that all the protection in the world would not suffice to raise up a trade of this sort in Canada. However, he did not wish to object to the tariff, which would be the greatest step towards free-trade—he did not say which had ever been attempted to be made, but which the country had ever yet made, and he was not prepared to deduct from the lofty character which he was ready to attribute to the measure. He would say, with respect to points of minor importance, that they ought not to look this valuable gift-horse in the mouth.

Viscount *Howick* said, his wish was not to raise the duties on colonial produce to the level of the foreign duties, but rather that the foreign duties should be equalised with the colonial. With reference to the apprehensions which seem to be entertained on this point, he concurred with the right hon. Baronet that it was totally impossible that oxen could come across the Atlantic into this country. He deprecated another division on a question which, in point of principle, had been already decided. The amendment was moved as a concession to the fears of Gentlemen of landed property. Now, in those fears he by no means concurred. Much as he approved of that portion of the measure of her Majesty's Government to which this amendment referred, he yet could not help thinking that in this instance, looking to the interests of the agriculturists themselves, the right hon. Baronet had begun the application of his free-trade principles at the wrong end. Assuming that it was a question whether a certain amount of free-trade should be admitted in corn or in cattle, he thought it would be better for the agriculturists that the beginning should be made with corn rather than with cattle; for all men acquainted with the present state of the operations of husbandry in this country must have perceived that the tendency of improvement in agriculture was rather towards the increase of the production and care of live stock, and the diminution of the cultivation of corn. He thought the hon. Member for East Somerset, and hon. Members acquainted with agriculture would agree with him, that in the least improved countries a contrary tendency was observable. This he could not but designate as a great mistake, and it did appear to him, that the course of the Government on this question went rather to favour that mistake than to discourage it. But believing, as he did, that competition with foreigners, whether it took place in corn or in cattle, would be for the advantage of the agriculturists, as well as for that of the other classes of the community, he should, notwithstanding his other objections, support this portion of the Government measure.

Sir *R. Peel* said, where there existed such differences of opinion, it was extremely difficult to form an opinion of what would be the real operation of the tariff. He believed the noble Lord would admit, that spring corn, and not wheat, was chiefly used in the feeding of cattle. He had been in the first instance told, that the protection given to spring corn was disproportioned to that which was given to wheat; but the argument of the noble Lord went to show, that it would be more beneficial to the agricultural interest if less protection were given to spring corn. It now appeared that he had been wise in giving that less amount of protection to spring corn, and he hoped that this would be treasured up by those agriculturists who dealt in spring corn. According to the argument made by his hon. Friend, the Member for East Somerset, the other night, he ought to say to the Members for Norfolk and Suffolk, "Don't be at all afraid of the importation of barley and oats, for the hon. Member for Somerset, says, they will only come in in the shape of fat cattle and pigs." But how did the trade with Ireland confirm that argument of the hon. Member for Somerset? Not at all; for it appeared, on the contrary, that this economical mode of importing barley and oats in the shape of fat cattle had not taken effect. Simultaneously with the importation of the largest quantity of fat cattle from that country there had been the importation of the largest quantity of oats.

Viscount *Howick* was very glad to have heard from the right hon. Baronet that it had been his intention so to frame the tariff as not unduly to encourage any particular branch of the cultivation of the country. Such sentiments were worthy the Prime Minister of such a country as this. The right hon. Baronet now took pride to himself for having encouraged spring corn instead of wheat, because it was more used in the rearing of cattle; but the great mistake of the right hon. Baronet was his not treating corn on the same principle as he had in his tariff treated cattle. The plan, indeed, taken as a whole, showed how utterly without any fixed principle it had been framed. If the principles of the Corn Bill were good as regarded corn, why not apply them to cattle? If the sliding-scale was a good principle as applied to one, why not apply it to the other? If, on the other hand, a moderate fixed duty, as affording a steady encouragement to the employment of capital, were a good principle to adopt with regard to cattle, why not admit the same principle as applied to corn? He repeated, that these discrepancies only the more forcibly showed, that there were no comprehensive views, no fixed principles in the measure of her Majesty's Government, taken as a whole. The very arguments which, when they came from the hon. Member for Somerset and others, were treated by the right hon. Baronet and his immediate supporters with a degree of contempt which they certainly never received from those who agreed with him in political views, the right hon. Baronet now turned round and used as his own arguments when the case was reversed.

Sir *R. Peel*, looking at the last few remarks of the noble Lord, was very sorry that he had so soon repented the compliment he had paid him. With regard to the operation of the new Corn-law, it was of course, at present rather premature to attempt to form an opinion, but he would nevertheless state one or two facts. He found by statements which he held in his hand, that in the week ending the 12th May, 1842, 31,000 quarters of wheat were entered for home consumption, of which 15,000 quarters were foreign wheat, paying 12s. duty. From the 12th to the 21st May, 5,760 quarters of foreign wheat were entered for home consumption in London alone, paying the then rate of duty. Now he would not attempt to make any prediction as to the effect of the Corn Bill, but he mentioned these facts as leading to a hope that the imposition of the more moderate duty would lead to a periodical release of foreign wheat for home consumption, and that it would, at the same time, afford some security against the recurrence of sudden and extravagant advances in the price of wheat.

Mr. *Labouchere* observed, that the right hon. Baronet showed a disposition to evade the charge made against him from that (the Opposition) side of the House, of having used contradictory arguments as it suited his views in support of one or other portions of his measures. To that charge had been superadded this other—that the right hon. Baronet was encouraging a bad system of agriculture in this country. He had heard with satisfaction the reasons urged by the right hon. Baronet for his proposed alteration in the duty on cattle. The right hon. Baronet had told the agricultural interest, that though he rejoiced to think that the effect of the proposed change would not be to injure the agricultural interest, yet that the great point to which he looked was, that the great mass of the people should be adequately supplied with food. The right hon. Baronet, in fact, made the valuable admission, that the people of this country were not adequately supplied with food, and that, therefore, he had proposed a comprehensive measure for the importation of cattle. Now, really, it might be supposed from the language of the right hon. Gentleman, that meat formed the chief article of food with the mass of the people of this country. Unfortunately it did not, and the right hon. Baronet would find, admitting, as he had done, that the distress existing in the country was connected partially, if not entirely, with the deficient supply of food, that the time would come when the arguments which he had used to justify the importation of cattle would apply with tenfold force to corn. He held it to be impossible, that under the new Corn-law, a sufficient supply of corn could come in for the wants of the people, and then the arguments of the right hon. Gentleman would be remembered, and used against him in support of a measure of further relief with regard to corn.

Major *Vivian* said, as he saw it was useless to attempt to divide against the right hon. Baronet, he would, with the permission of the House, withdraw his motion.

Lord *J. Russell* hoped the right hon. Baronet would not object to put the House in possession of returns of the amount of corn entered for home consumption, and also of that in bond. He had heard that there were 1,000,000 quarters in bond, and he thought it was desirable that they should have accurate information on the subject. With reference to what had fallen from the right hon. Baronet, he must say that he thought the right hon. Baronet had not accurately represented the argument of the hon. Member for Berks. As he understood the hon. Member for Berks, in the resolutions on the Table, it was the intention of the hon. Member to say that the effect of the proposed change would be to lead to the importation of fat cattle, and of barley and oats in the shape of such fat cattle.

Mr. *Hume* was glad the gallant Member proposed to withdraw his motion, as he could not have gone with him. He was of opinion that the colonies ought to be regarded as an integral part of the empire, and if they could produce enough over and above their own consumption to enable them to export their productions to England, those productions ought to be received free of duty, just as they would be received if they came from the Isle of Skye or any other part of the kingdom.

Mr. *Pusey* had received the opinion of a farmer of 200*l.* a-year rent as to the operation of this portion of the tariff. Complimenting him on his not having suffered by the new Corn-law, the reply of the farmer was, "I had rather wheat had fallen 10*s.* a quarter than that mutton should have fallen as it has done between last May and this." He (Mr. Pusey) had afterwards examined this farmer's accounts, and he found that by a fall of 10*s.* a quarter in wheat he would have lost 42*l.*, but that he lost 10*s.* each upon sheep. He had converted 204 lambs into mutton in the course of the year,—a sufficient evidence to hon. Gentlemen acquainted with such subjects, of his being a person competent to form an opinion on farming. This would afford some idea of the extent of his loss on the fall in the price of meat.

Sir *R. Peel* would have been glad to find from his own bills that there had been that reduction in the price of mutton which the hon. Member referred to. He did not think that such a great reduction would be found yet to have taken place in the price of mutton. With regard to the question put to him by the noble Lord, he begged to say, that there were at present 800,000 quarters of wheat in bond, and 1,000,000 quarters of corn altogether in bond. Although he felt it was too early as yet for the House to examine into the operation of the new Corn-law, he should not refuse any information which it was in his power to afford on the subject, hoping, at the same time, that the House would not draw any decided inference from so short an experience of the law.

Mr. *C. Wood* was not surprised that the right hon. Baronet should so express himself, seeing that the new Corn-law had not fulfilled the expectations which had been held out as to its probable effects. The right hon. Baronet stated that the quantity of foreign wheat brought in in the week ending the 14th of May in the present year was 15,000 quarters, and in the week ending the 21st of May, about 5,000. Now, in the corresponding week, ending the 14th of May of last year, the quantity of foreign wheat introduced for home consumption was 17,000 quarters, and in the week ending the 21st of May, the quantity was 71,000 quarters, the duty being 23*s*. 8*d*.

Viscount *Sandon* wished to observe, as hon. Members vaunted so much upon this subject, that there was a wide difference between the two articles which it involved —namely, corn and cattle. There was no ground whatever for apprehending that this country would be inundated with foreign cattle. The foreign supply of cattle was exceedingly limited, but of the article of corn there was an almost unlimited supply. Therefore was it that those who were desirous of affording some protection to native industry deemed it necessary to accommodate the amount of that protection to this state of things. It was evident that in no single year would there be produced an extraordinary amount of cattle. Not so with corn. In one year there might be so extensive a crop of wheat as to inundate the English markets, to the injury and perhaps ruin, of the English farmer, if he were not protected by a duty, which, under this circumstance, was perfectly justifiable and perfectly consistent with common sense, but which was unnecessary, and therefore not justifiable, as regarded cattle. He confessed, too, that when he saw the labouring population of this country in so distressed a condition, he should be most unwilling to consent to any measure which would convert it from an arable into a pasture country, and thereby add to that distress by removing one of the great sources of employment. Then, as regarded our colonies, he had heard the noble Lord opposite (Lord Howick) say, that they ought to be put upon a footing with foreign countries, while the hon. Member for Montrose contended, that there ought to be no difference made between them and the mother country. How was a Government to be guided by such conflicting opinions as these? For his own part, he much preferred the principle of the hon. Member for Montrose, and would, if he could, place the colonies on a footing with this country, not merely with the view, or for the purpose of supplying this country with articles of consumption at a cheaper rate, but in order to establish a community of interests between this country and a very large portion of our colonies.

Mr. *Labouchere:* His noble Friend the Member for Liverpool had very justly said, that cattle could not, but corn might, come in. He perfectly agreed with the noble Lord that that was the real solution of the different courses which had been pursued with respect to cattle and with respect to corn; and he must say, that if the Government had avowed that principle with the distinctness and frankness of his noble Friend, they could not now be reproached on the score of inconsistency. What was inconsistent in the Government was, that in bringing forward the measure as to cattle, they had adopted the language of free-trade in its broadest principles; they had stated that it was necessary to buy provisions in the cheapest markets, and that they had applied this principle to the article of cattle; and he was afraid he must agree with the noble Lord that little practical advantage was likely to ensue for the relief of the people from this measure, since they had adopted a different principle as to corn, where the principle alluded to would be of value.

He confessed that he had listened with much gratification, though with astonishment, at the language used by the Vice-President of the Board of Trade (Mr. W. E. Gladstone), and the First Lord of the Treasury, with regard to cattle; and he could scarcely believe that he was listening to the same Gentleman who had previously addressed the House upon the subject of corn when the question most prominently brought forward was agricultural protection—full and ample protection to the British landowner. He was not disposed to undervalue the importance of agriculture; but he must contend that anything having reference to the interest of the landowners as a class, was infinitely subordinate when the question of a supply of food for the great body of the people was involved. Let them not forget what they had heard from the First Lord of the Treasury—the result of that diligent and anxious inquiry which he had made during the last few months—that the condition of the people was this, that the population was outstripping the supply of food. It was an important declaration that ought not to be forgotten by this House; and they might depend that it would not be forgotten by the country. He was surprised that a Minister who came to that conclusion, and stated it in so bold and broad a manner when arguing on the question of cattle, should have taken the course he did as to the Corn-law; because it could not be denied that, after all, with reference to the supply of food for the great body of the people, it was not to meat, but to bread, that they must chiefly look. With regard to colonial protection, he confessed that he was not inclined to act on any mere extreme abstract principle. He was not able to vote with his noble Friend (Lord Howick) the other night; not that he disagreed with much that his noble Friend stated; but at the same time he thought that, as long as we maintained the navigation laws, and insisted on the colonies receiving our manufactured goods at a lower rate of duty than the one which was imposed on foreign manufactures, it was impossible to deny a preference to some articles of colonial produce imported into this country. He was not prepared to say, that there were not cases in which the right hon. Gentleman (Sir R. Peel) had acted properly in introducing a different rate for the first time; he alluded especially to the manufactures of India, and he was glad to see that a difference from the former system was proposed by the new tariff; for it should be remembered, that India was not one of those petty colonies, the defence of which was undertaken, and the civil government of which was provided for, by this country. At the same time he regretted that the right hon. Gentleman appeared to have extended colonial protection unnecessarily, and particularly with respect to the article of live cattle.

Mr. *Cobden* said, the statement made by the representative of the great commercial town of Liverpool would well justify the representative of the manufacturing town of Stockport in entering his protest against it. He had recently been in Lancashire, and knew something of the state of feeling there in reference to the subject under the consideration of the committee; and he found precisely the same sort of feeling as to the tariff as the noble Lord had expressed. The people of Lancashire believed that the legislation of this House was precisely that which had been "placarded" by the noble Lord from this House to-night, and that they were legislating for the introduction of articles into this country which they did not expect to import. The people were not satisfied with such legislation—it was a mockery of the country in its present condition. They saw there was no hope. That which extinguished the last embers of hope was the right hon. Baronet's Corn-law; but the people of England would "bide their time," and would not suffer themselves to be exterminated. Doctrines were forcing themselves upon the public mind which would lead to far greater changes than an alteration of the tariff, and every day that they proceeded with these miserable expedients in legislation increased the disgust of the people. Such legislation as this was a scandal to England and to Christendom; for he contended that Parliament had no earthly right to deny to the able-bodied, ingenious, but starving operative of Stockport the power of exchanging the produce of his industry for the food that was grown in the fertile valleys of the Mississippi. He told them then, as he told them nine months ago, that this was nothing short of legislative murder. The people of Stockport had a right to employ the produce of their capital in obtaining a supply of food; but what should be said of a Ministry that legislated purposely for preventing an exchange?—It was not the price which they haggled about, though the House might talk of the diminution of one penny per pound on the price of meat. It was comparatively of no consequence to the people what price they paid for food if they had but the means to earn it. The people contended for the right to exchange labour for food. Was it too much for the people to claim the right to go 3,000 miles for food? Were hon. Gentlemen prepared to give the means ef employment to those people, who never came forward with a demand asking the Legislature to fix the price of protection for cotton goods? They did not ask the Legislature, as the landed interest had done, to fix the price at which the people should have cotton. No! the manufacturing classes only asked for a fair competition with all the world; and yet, after saying that they could not feed them or employ them, the House told them in effect that they should not have food at a cheap rate. For his own part, he said, he was prepared in that House to take any course which the forms of the House would permit to put an end to such a system of legislation.

Viscount *Sandon* explained. The opinions which he had that night avowed, were those which he had advocated for eleven years of his political life.

Mr. *Turner* thought it absolutely necessary for the best interests of the country that this tariff should pass into a law. He would say that, whether it were for good or for evil, those who stood by the tariff must stand or fall by it; but he believed that the country was anxious that that tariff should be speedily made law; and with a view to carry out this object, he would suggest that hon. Members should not make long speeches on every point which was mooted. He said that nine-tenths of the measures of the present Government were those which had originated with the late Government. He conjured those who were engaged in mercantile pursuits, and who sat chiefly on that (the Opposition) side, the other side being occupied more exclusively by those who represented the landed interest—he would conjure hon. Members indeed on both sides of the House, not to occupy one whole night up to nine o'clock without making progress, while millions of people were looking forward with intense anxiety to know how they should employ their capital.

The blank for the duty on colonial cattle was ordered to be filled up with "ten shillings."

On the question that a duty of 5*s.* be levied on swine and hogs imported from foreign countries, and 2*s.* 6*d.* on hogs and swine the produce of and from British possessions.

Mr. *S. O'Brien* rose, for the purpose of endeavouring to impress on the committee the justice of altering the proposed duty. Hon. Members were, perhaps, not aware that a large portion of the poorer classes in Ireland depended, as a principal resource, on the rearing of pigs. Those acquainted with Ireland knew that there were few cottagers in that country who did not attempt to keep a pig, in order, by its sale, to be assisted in the payment of their rent. In fact, so general was this desire, that to be without the means of having a pig was considered a test of destitution. It appeared to him that the rate of duty proposed in the tariff would, by giving advantages to the importation of foreign swine, be felt very injurious to that poor class of persons to whom he had alluded. He had intended to move that a duty of 4*s.* per cwt. should be substituted for the uniform duty of 5*s.* proposed to be levied under the new tariff. However, as the House had yesterday evening, by their decision on the amendment of the hon. Member for Somersetshire, negatived the principle of taking the duty by weight, he would now simply propose to negative the word "five," and would leave it to the Government to substitute any other rate of duty more conformable to the merits of the case.

Mr. *W. Miles* had great satisfaction in supporting the amendment. He trusted that, as the hon. Member had used the *argumentum ad misericordiam*, the Government would take the case into their consideration.

The committee divided on the question that the blank be filled up with the words "five shillings,"—Ayes 121; Noes 32: Majority 89.

List of the AYES.

Adare, Visct.
Aglionby, H. A.
Antrobus, E.
Baillie, Col.
Baird, W.
Baldwin, B.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Barnard, E. G.
Beresford, Major
Blakemore, R.
Boldero, H. G.
Botfield, B.
Browne, hon. W.
Buckley, E.
Buller, C.

Busfeild, W.
Childers, J. W.
Christie, W. D.
Clive, hon. R. H.
Cobden, R.
Cockburn, rt. hn. Sir G.
Conolly, Col.
Copeland, Mr. Ald.
Crawford, W. S.
Denison, E. B.
Douglas, Sir H.
Drummond, H. H.
Duncan, G.
Dundas, Admiral
Egerton, W. T.
Eliot, Lord
Fitzroy, Capt.
Flower, Sir J.
Forster, M.
Gaskell, J. Milnes
Gill, T.
Gladstone, rt. hn. W. E.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Greenall, P.
Grimsditch, T.
Hamilton, W. J.
Hampden, R.
Hardy, J.
Heneage, G. H. W.
Hepburn, Sir T. B.
Hervey, Lord A.
Hope, hon. C.
Howick, Visct.
Hume, J.
Humphery, Ald.
Jackson, J. D.
Jermyn, Earl
Johnson, W. G.
Johnstone, A.
Johnstone, H.
Knatchbull, right hon. Sir E.
Labouchere, rt. hn. H.
Langston, J. H.
Law, hn. C. E.
Lemon, Sir C.
Lindsay, H. H.
Litton, E.
Lyall, G.
Mackenzie, W. F.
M'Geachy, F. A.
Marsham, Visct.
Marsland, H.
Martin, J.
Masterman, J.
Mitcalfe, H.
Mitchell, T. A.
Morgan, O.
Napier, Sir C.
Nicholl, rt. hon. J.
Norreys, Sir D. J.
Parker, J.
Pechell, Capt.
Peel, right hon. Sir R.
Peel, J.
Philips, M.
Polhill, F.
Pollock, Sir F.
Pringle, A.
Rashleigh, W.
Rice, E. R.
Round, C. G.
Rous, hon. Capt.
Russell, Lord J.
Seymour, Sir H. B.
Shaw, right hon. F.
Smith, rt. hn. R. V.
Somerset, Lord G.
Somerville, Sir W. M.
Stansfield, W. R. C.
Stanton, W. H.
Stewart, J.
Sutton, hon. H. M.
Tennent, J. E.
Thesiger, F.
Thornely, T.
Trench, Sir F. W.
Trotter, J.
Turner, E.
Villiers, hon. C. P.
Vivian, J. H.
Vivian, J. E.
Ward, H. G.
Wemyss, Capt.
Williams, W.
Wood, B.
Wood, C.
Wood, Col.
Wood, Col. T.
Wood, G. W.
Wortley, hon. J. S.
Wyndham, Col. C.
Yorke, H. R.

TELLERS.

Clerk, Sir G.
Fremantle, Sir T.

List of the NOES.

Allix, J. P.
Arbuthnott, hon. H.
Barrington, Visct.
Berkeley, hon. G. F.
Buck, L. W.
Cayley, E. S.
Chetwode, Sir J.
Clayton, R. R.
Colvile, C. R.
Coote, Sir C. H.
Esmonde, Sir T.
Fuller, A. E.
Halford, H.
Henley, J. W.
Hinde, J. H.
Knightley, Sir C.
Mackenzie, T.
March, Earl of
Morris, D.
Neeld, J.
O'Brien, J.
O'Conor, D.
Palmer, R.
Palmer, G.
Plumptre, J. P.
Pusey, P.
Reade, W. M.
Smith, A.
Stanley, hn. W. O.
Vere, Sir C. B.
Wodehouse, E.
Yorke, hn. E. T.

TELLERS.

Miles, W.
O'Brien, W. S.

On the proposition to levy a duty of 5*s.* per cwt. on cassara powder, the produce of foreign countries, and of 1*s.* on the produce of British possessions,

Mr. *V. Smith* wished to ask the right hon. Gentleman whether he would have any objection to strike out this, and several articles from which no duty was derived, out of the list, or place a mere nominal duty on them for statistical purposes. There were, in the first edition of the tariff 267 articles, not one of which produced 5*l.* to the revenue in the year 1840. In the third edition some of these were struck out, and he hoped the principle would be carried farther. The retention of these articles was an incumbrance on the tariff, and would only throw ridicule on it in the eyes of foreign nations. On these grounds he would urge the propriety of striking them out, or of placing only a nominal duty for statistical purposes.

Mr. *Gladstone* saw no very great difficulty in adopting the suggestion of the hon. Gentleman with respect to the article before the House, but saw no advantage that could arise from it. The hon. Gentleman proposed one of two courses, to strike out the article altogether, or to place on it a nominal duty for statistical purposes. The present duty was little more —only 5*s.* a cwt. If the article was struck out of its alphabetical place, and placed among the unenumerated articles, the duty would in reality be greater, namely, five per cent.

Mr. *Labouchere* thought the suggestion of his hon. Friend well worthy consideration of the right hon. Gentleman.

Mr. *Hume* suggested that all articles of this kind should be placed together at the end of the tariff, as unenumerated articles, at a duty of 1*s.* for statistical information.

The *Chancellor of the Exchequer* said, it was extremely important for the convenience of the manufacturing and trading community, that the unenumerated articles should be as few as possible.

The Item agreed to.

Customs Acts—The Tariff—Fish.] Captain *Pechell*, on the part of the fishermen of the coast of Sussex, did not object to the tariff as regarded fish, but to any mode of importing it in contravention to the treaty of 1839, concluded by the late Government with the French authorities. He, therefore, called on the right hon. Baronet for protection of English fishing-boats within the line of demarcation laid down by that treaty. The right hon. Baronet had contended that the reduction of the price of timber would benefit the fishermen, but it would be better to reduce the price of their loaf, because the reduction in the duty on timber would not touch them. There was no comparison in point of treatment by the Governments of the respective countries—between the English and the French Governments—the latter being so much better treated than the former. All he wanted for the fishermen was fair play and justice; and that he called on the right hon. Gentleman to give them in his tariff.

Mr. *Gladstone* observed, that the time had not arrived for dealing with the subject; and he suggested that as there were three classes of fish not charged with dnty it would be best to dispatch them first.

Mr. *Hume* wished to know why lobsters should be charged at all?

Sir *R. Peel* said, it was intended to exempt them when part of a cargo under 5*l.*

Alderman *Humphrey* did not know why lobsters should now be charged with a duty.

Major *Beresford* hoped that the right hon. Baronet would re-consider the tariff, in so far as related to the proposed duty on lobsters, which, if persevered in, would have the effect of destroying that trade altogether, and of depriving London of this article of food. The supply of lobsters for the London market was at present derived from Norway, and the fish was so delicate that it was with great difficulty brought alive to this country in the well-boats employed for that purpose, and so many cargoes were spoiled in the transit as to render the trade a very speculative one. There was no duty at present levied on lobsters, and he considered it unfair to impose one. Besides, according to the present method of managing the trade, the lobsters, on their arrival off the English coasts, were transhipped into other boats, in order to keep them better alive, and thus as the cargo of the well-boat was generally divided between two other boats the duty levied would be 15*l.* per ship-load instead of 5*l.* He trusted that the Government would relax in this item of the tariff.

Mr. Alderman *Humphery* contended, that as hitherto had been the case, lobsters ought to be subjected to no duty whatever. He would move an amendment to the effect that they shall be admitted free.

Mr. *Chapman* said, this fishery was productive of a considerable supply of very hardy seamen, and should not be made a subject of taxation.

Captain *Pechell* said, that an act of George the 1st allowed the importation of lobsters in any vessels; and by the 10th and 11th William the3rd,no lobster was allowed to be put on shore which was less than eight inches long. Both these must be repealed, if this duty was levied. In five days in the month of June, 1838, there were no less than 132,000 lobsters brought to London.

Sir *R. Peel* said: If it be known that there were 130,000 lobsters brought into London in a particular time, the difficulty is not so great as stated by the hon. and gallant Member. They must have gone through the process of counting. Our object for imposing this duty is, because it is said that if you look at the prohibition on fish, it will be found not to extend to those which are articles of luxury. It is urged against the law with respect to fish, that turbots and lobsters are excepted. We think it right not to except fish which is consumed by the upper classes. The duty is now laid on turbot for the first time, which surely ought to be. I doubt the policy of admitting any particular fish free.

Mr. *Labouchere* thought it was expedient to leave the law as it was. He believed the duty on lobsters would inflict an injury on persons in the trade—enhance the price, and without doing good of any kind. The main supply of lobsters was from Norway, where British fishermen are not allowed to fish themselves, but they bought from the Norway fishermen, by which means only the supply was obtained. This traffic afforded encouragement to a hardy race of seamen; he did not see whom the proposed duty would benefit, and he hoped the Government would consider it.

Mr. *Gladstone* said, that his right hon.

Friend had already stated the main positive reason for the duty, namely, the special exemption of fish which were the food of the rich. He wished to state several points. Undoubtedly, if a strong case could be shown that the duty would interfere with the trade, it ought to be considered. With respect to numbering lobsters, a few hundred were often brought by the mail-boats from Hull, and a duty per head was necessary to meet that case. There would be no particular inconvenience, for it was not necessary for the ship which brought the lobsters from Norway to come up to the Custom House that she might discharge her cargo in the outer waters. The want of a fishmarket might equally cause them to be spoiled by delay. With respect to the amount of the duty, it would be only 5 per cent. on the value. 100*l.* was the wholesale price from the factor to the seller, and any enhancement to the consumer in London was not likely. At present vessels in that trade were restricted from carrying passengers to Norway, which prohibition it was intended to do away; and that privilege would be of far more consequence in the way of gain, than 5*l.* in the way of loss. There would be no material inconvenience, provided the duty was levied in the manner proposed.

Viscount *Howick* said, that when a new duty was imposed, some good ground should be shown for it. What was it in this case? Certainly not revenue. Was it protection? That was certainly not wanted. From his own knowledge of the trade in his neighbourhood, he could state that it was not wanted. The only complaint made there was of the diminution of the number of lobsters. Was it wise, then, to risk hurting trade for some nominal uniformity in the tariff. The hon. and gallant Member for Harwich had shown that the duty could not be imposed without injury to the trade, and it had not been shown, by the arguments of the right hon. Gentleman, that it would not interfere with it. He thought it was inconsistent with common sense to introduce a change which would be productive of no advantage and might be injurious.

Mr. *Hume* recommended that the duty on fish should be removed altogether. He mentioned several of the amounts which had been levied, which were very trifling, and he thought that if that particular sum was wanted, it might be obtained by the reduction of one of the Commissioners of Customs.

Mr. *Wakley* thought, that the right hon. Gentleman, the Vice-President of the Board of Trade, had failed in his justification of the duty. He said, that lobsters were used only by the higher classes, but he could assure him that the proportion consumed by the lower classes was infinitely greater. He thought the statement of the hon. and gallant Member for Harwich quite convincing.

Sir *R. Peel* said, that he would close at once with the hon. Gentleman. If what the hon. Gentleman said was correct, that lobsters were much consumed by the middling and lower classes, he admitted that the main reason for the introduction of the article into the tariff was removed. He thought, moreover, that the gallant Officer the hon. Member for Harwich, had shown strong grounds for saying, that the proposed duty was too high; he would, however, reserve the consideration, whether there ought to be an absolute exemption; but the subject should undergo consideration. As to the reduction of a Commissioner of Customs, if that reduction was proper, of course it ought to be made without reference to the reduction of the duty on fish. It should stand on its own grounds. They could not altogether abolish the duties on fish; but seeing the general sense of the House, he was sure it was of more importance to make progress with the tariff than to retain the duty on lobsters.

Mr. *Gladstone* suggested that the most convenient course would be to let the duty stand as it did at present, and make the alteration in the report.

The vote agreed to.

Mr. *Gladstone* said, that the words describing the next class of article, "fish imported from foreign places in other than fishing vessels" had been used in order to prevent fraud; and although they would limit the importation considerably, he believed it would be impossible to attain the object desired without them; but further inquiry should be made.

Alderman *Humphery* complained of the alteration in the tariff since its original proposal, whereby various descriptions of fish were required to be brought into our ports in other than fishing vessels; and especially in regard to turbot, which he said would be spoiled by the transportation from one vessel to another.

Mr. *Gladstone* said, that he could quiet the mind of the worthy Alderman on the subject of turbot, about which he felt so natural an anxiety. It was not intended to make any change as to the mode of importation of turbot; and the object of the hon. Member would at once be answered by placing turbot immediately after lobsters in the tariff.

Dr. *Bowring* begged to press upon the Government the recommendation of the Import Duties' Committee, that whenever duties were unproductive, as was the case with those on fish, they should be removed.

Viscount *Howick* said, that if they wanted to remove restrictions they ought to allow the fish to be brought in any vessels. He knew that the French boats came off the coast of the north of England, and bought herrings of our fishermen; he was glad of that for the sake of our own fishermen; but why should we imitate the absurd blunder of France by imposing restrictions which could not be enforced?

Sir *R. Peel* said, that the reason for making that alteration in the tariff was not deference to his hon. and gallant Friend; but after constant collisions had taken place between the French and English fishing vessels, after a very considerable loss of life, the noble Lord the late Secretary of State for Foreign Affairs concluded a convention with France, by which it was agreed that a certain space of about three miles from low watermark should be the exclusive fishing ground of each country. Then if they permitted foreign fish to be brought into our ports in vessels adapted for the purposes of fishing, they would do away with the advantage of that convention, for it would be impossible then to exclude the French fishing vessels from your limits, as they might always avail themselves of the pretence that they were on the way to the ports of London or Dover with fish. That argument, however, did not apply to the case of turbot, because the permission to bring that in always existed. With respect to the tariff, it was a great improvement on the existing law; it went as far as the House could expect; they found salmon prohibited; they proposed to introduce it at a duty of 10*s*. per cwt.; soles were prohibited; now they proposed to introduce them at 5*s*. per cwt. They removed prohibitions altogether.

Mr. *Aglionby* objected to imposing any duty on turbot, which was before exempted; for turbot, when there was a glut in the market, was a fish consumed by the poor; and however few went out with him, he should divide the House upon it. Why, he asked, did the hon. Baronet refuse to an hon. Member on that side of the House, with regard to turbot, what he had yielded to one on the other side of the House with regard to lobsters?

Sir *R. Peel* said, that he did not yield to the hon. Member for Harwich until several Gentlemen on the other side of the House had said, that his hon. Friend had made out a strong case. Under the old existing tariff, turbot was duty free; and he recollected the invidious distinctions that used to be drawn between the fish of the rich and the fish of the poor, on that very ground—and if he had retained the duty on herrings as he did, and had continued the exemption of turbot, was it not probable that the hon. Gentleman opposite would have been one of the first to tell him that he was exempting the rich, whilst he was taxing the poor. The hon. Member might say, that turbot was an article of general consumption amongst the poor as well as the rich; but he thought that the hon. Member was rather singular in that view. His belief was, that if he had continued the duty on herrings without removing the exemption of turbot, advantage would have been taken of that to show that the tariff was unfair, and he would leave the House to determine whether a moderate duty of 5*s*. ought or ought not to be imposed upon this, which was an article of luxury, and which formerly had been exempted from all duty because it was an article of luxury.

Mr. *Ward* said, that as there was an endless variety of articles in the tariff it would be impossible to discuss them all separately. He thought it better to take the tariff as a whole, and as a whole he supported it.

Mr. *Hume* hoped that they would all proceed amicably—but he trusted at the same time that the right hon. Baronet would consider whether the duty ought not to be taken off fish altogether.

On the resolution respecting fish imported from foreign places in other than fishing vessels being read,

Mr. *Gladstone* said, that it was proposed to omit, for the present, the amount of duty to be imposed on the importation of "stock-fish," as set down in the articles enumerated in the resolution now before the committee, as it was thought to be too high.

Mr. *C. Buller* wished to know why a distinction was, made between the duty imposed on salmon and that imposed with respect to other fish. While soles, sturgeon, and turbot, a dearer fish than salmon, were subject to a duty of *5s.* the cwt., it was proposed to levy a duty of 10*s.* the cwt. on salmon.

Sir *R. Peel* said, that the reason for the distinction was, that large capitals had been invested in the salmon fishery upon the faith of the existing prohibition, which, in his opinion, afforded ample justification for the exception made.

Mr. *C. Buller* expressed himself satisfied with the explanation of the right hon. Baronet.

Mr. *M. Gibson* said, that large capitals had also been invested in the sole fishery, and he could not see, that any material difference existed between the salmon and other fisheries. He complained that the right hon. Baronet had withdrawn protection from the poor fishermen while he had maintained it in the case of the rice owners of salmon fisheries, who were enabled to interest powerful advocates on their behalf.

Sir *R. Peel:* If there is any article to which I look with satisfaction, it is the article of salmon. If the hon. Gentleman is not satisfied I will endeavour to satisfy him. Leases for salmon fisheries are entered into for a longer series of years, and they are formed, never contemplating any change of duty. There is no one article in the whole tariff upon which I have received so many remonstrances against the lowness of duty. With regard to soles I have not received one. There are a great many corporate bodies in Scotland, charities, and private individuals, who are interested in and almost dependent upon these fisheries. There are many persons, too, whose interests have been bought out, and are paid according to the value of the salmon in the English market. It is for these reasons that I apply a different principle to salmon than other fish. And if there is any article which shows that the Government had not been influenced merely by the representations of great and influential interests, and have disregarded smaller and less important interests, it is the article of salmon.

Mr. *Gladstone* said, with regard to the observations made by the hon. Gentleman opposite as to the protection having been taken from the poor people in respect to soles, and the protection given to the rich in respect of salmon, he begged leave to say that, so far from that being the fact, the average price of salmon throughout the year made the duty much lower than upon soles.

Mr. *Wakley* thought, that the fact of salmon being at so high a price in their markets throughout the year was worthy of their consideration. He believed, that salmon was at no part of the year less than 15*d.* per lb. The argument which had been made use of by the right hon. Baronet was equally applicable to the farmers with respect to his proposed duties upon cattle.

Alderman *Humphery* believed, that salmon could have been purchased at a much lower rate during part of the season than the hon. Member for Finsbury supposed. He thought that this duty upon foreign salmon was one of the greatest boons which had been given them by the right hon. Baronet. The hon. Member for Manchester endeavoured to show that the poor were worse treated with regard to the duty upon soles, but it should be recollected that the fishermen who fished for soles did not pay any rent. This was not the case with respect to salmon, for with respect to the salmon fishery in Lough Foyle, in Ireland, there was an annual rent of 6,000*l.* paid for it, although he believed it was worth 12,000*l.* There was no such charge made for soles.

Lord *J. Russell* thought that it would be a great advantage to the working classes if salmon could be had at a cheaper rate. He considered this was a fair proposition, considering the many interests that were involved.

Resolution agreed to.

Upon the consideration of the duty of *5s.* per cwt. upon sturgeon.

Captain *Pechell* said, he saw stock-fish mentioned in the list of articles. Now he never could find out any such fish as stock-fish. Where did it come from? Did it come from Tamboff?

Proposition agreed to.

On the question that the duty on apples raw the bushel be *6d.*

Mr. *Parker* objected to this as an uncalled for increase of the duties, and as opposed to the general spirit of the tariff.

Sir *Edward Knatchbull* said, previous to the year 1838, the duty on raw apples had been 4*s.* a bushel. Towards the close of the Session of that year, a clause was introduced into the Customs' Act reducing the duty, without any previous notice to the public, from 4*s.* a bushel to five per cent. *ad valorem.* The alteration of duty was not discovered until the bill had passed the House of Commons and gone up to the Lords. A strong opposition was then raised to it, and the bill itself was only allowed to pass upon a distinct assurance from Lord Melbourne that a measure should be introduced in the succeeding Session to remove the objections of those who were opposed to so great, and, as they thought, so injurious a reduction of the duty. It was under these circumstances that the new rate of duty of 6*d.* a bushel was proposed.

Mr. *F. Baring* doubted whether Lord Melbourne had given such an assurance as the right hon. Baronet had referred to. At all events, he thought the existing rate of duty, of 5 per cent, *ad valorem*, was far preferable to the proposed rate of 6*d.* a bushel.

Mr. *Aglionby* had understood that the principle upon which the revision of the tariff proceeded was that of amelioration. If that were so, how did it happen that upon this article of apples there was to be a positive increase of duty? Was this accidental, or did the right hon. Baronet (Sir Robert Peel) intend that the duty should be raised?

Mr. *F. Baring* repeated his opinion that 5 per cent. *ad valorem*, as in the case of cherries and grapes, would be the fairer mode of taking the duty.

Mr. *Gladstone* observed, that there was no parallel between apples and the other fruits named by the right hon. Gentleman. Grapes and cherries were admitted at a lower rate of duty, because they were of a more perishable nature. He admitted that the duty of 6*d.* a bushel upon raw apples would be very heavy, if measured solely with reference to the inferior kinds of that fruit; but he contended, that as applied generally to all descriptions of apples, ranging as they did in price, from 1*s.* 6*d.* to 25*s.* a bushel, the proposed duty would be a moderate and a fair one. He begged to remind the House that the existing duty of 5 per cent. *ad valorem*, imposed under the circumstances described by his right hon. Friend, could not be regarded as a fixed duty. When the opposition was raised to that greatly reduced duty in the House of Lords, Lord Melbourne (as reported in Hansard) gave a distinct and positive pledge, that if the Customs Act (in which the alteration was proposed) were then allowed to pass, a bill should be introduced early in the next Session to meet the objections raised to the reduction. Upon that assurance from Lord Melbourne the bill was allowed to pass, but nothing had since been done to carry the assurance into effect. The present Government felt, therefore, that the duty of 5 per cent. could not be regarded as a fixed one, and that in proposing an alteration in the tariff, they were to look rather to what the old duty had been, than to that which had been levied since 1838.

Mr. *Wakley* said, the explanation of the right hon. Gentleman did not satisfy him as to the proposed change in the law. Since the change they had the experience of years with regard to the operation of the law, and a committee of inquiry as to its results. [" No" *from the Treasury Bench.*] Yes. And how strange it was that all the objections came from Kent! Devonshire grew apples, and Herefordshire; they were silent. It was only Kent that complained. He did hope that the Government would throw the right hon. Baronet (Sir E. Knatchbull) overboard on this occasion; for had he not been a Member of the Government, there would not have been this change. Apples were the fruit of the poor of the country; and what were they about to do? They were going to raise the duty from about 1*d.* per bushel to 6*d.*—from 5*l.* to 20*l.* per cent. It was a mistake to say, that the duty only applied to apples of the highest quality. If Kent could not compete with the foreigner in the growth of apples, we were better without Kent. He hoped the right hon. Baronet at the head of the Government would take the subject into his consideration.

Sir *R. Peel* said, it was his misfortune to have given this subject as much consideration as any other in the tariff. He had received many deputations, and the most earnest representations against the operation of the present law. He felt that apples constituted one of the luxuries of the poor, and he had, therefore, been very unwilling to impose a higher duty; but when the circumstances under which the present duty had been imposed had been brought under his consideration, he considered that he was fulfilling an engagement of the late Government with respect to the regulations of the existing tariff in the proposed duty. Formerly a duty of 4*s.* a bushel had been levied on apples; and very late in the Session of 1838 the duty had been reduced to 5*l.* per cent. The reduction had been opposed, and Lord Melbourne had promised, if the bill as it then stood were allowed to pass and not be thrown over, he would introduce a remedial measure early in the next Session of Parliament with regard to apples. Then, in 1839, Lord Melbourne said, that he never meant to enter into such an engagement as was recorded to have been made by him in 1838, and as had gone forth to the apple-growing counties. The farmer had, therefore, acted under a strong impression that such a bill would be introduced, and the parties, moreover, declared, that they had not put such a construction on Lord Melbourne's statement as he did, and that if they had so understood it, the bill never would have been suffered to pass. He (Sir R. Peel) thought, that it was very desirable, whatever might be their political differences, that every Government should adhere as far as possible to the engagements of preceding Governments, and on that impression he had acted.

Mr. *Hutt* did not think it a proper way of arguing this question to inquire whether Lord Melbourne had or had not said what was attributed to him. The committee in 1839 had gone patiently into the subject, and had collected a great deal of evidence, and he could not believe that any one could look at that evidence, and then say, that the duty ought to be augmented. From personal inquiries at the Custom-house, he was satisfied that the system of a 5 per cent. duty had worked perfectly satisfactorily. He did not agree with the Vice-President of the Board of Trade in thinking that they ought to consider this duty with reference to the higher qualities of apples; it ought rather to be considered as affecting the medium qualities. He hoped the Government would reconsider the subject.

Mr. *Plumptre* supported the duty proposed in the tariff, which he considered necessary for the protection of the fruit-grower.

Lord *J. Russell* said, he was very sorry there should have been so much misconception as to what had been said by Lord Melbourne. The question to which that noble Lord referred was that of perishable fruit generally, and what he said was, that any points upon which objections had been raised should be reconsidered; but he could not conceive that Lord Melbourne could have meant that the old duty should be restored. It was utterly inconceivable that it should be supposed that, however a bill might have passed through Parliament, and however duties might have been imposed without attention, a Prime Minister could have meant to pledge himself to more than that the question should be reconsidered. The right hon. Baronet, the Member for East Kent said, that the question ought to be considered as an open one. It was so considered in 1839. The question was considered by a committee, and evidence was taken upon it, and it was left to Parliament to consider what was the result of that evidence. If it showed that the alteration made had been ruinous to the interests concerned, the next increase might be made as should be necessary; but if it were found that the change had been greatly advantageous to the consumer and the people generally, and had been productive of no such ruinous consequences, he could not conceive upon what ground any Government could be bound to impose too high a duty, and to destroy a useful trade in an article of extensive consumption. The Government had adopted a duty of 5 per cent. *ad valorem* for cherries and other perishable fruits, and why not adopt the same for apples? The right hon. Gentleman, the Member for Kent said, that in good years there was a sufficient supply of apples grown in England. Surely, then, upon that ground there was no such impending ruin as the hon. Gentleman who last spoke had referred to. It appeared to him that 5 per cent. *ad valorem* was a better duty than that proposed by the Government, which would raise it at least three times its present amount.

Mr. *Escott* was of opinion, that this was a question affecting other counties besides Kent, and that the duty ought not to be increased on an article like apples, which constituted a luxury and comfort to the poor.

Mr. *Hume*: If the right hon. Baronet felt bound to carry out Lord Melbourne's pledge of 1839, how much more was he bound to carry out that noble Lord's proposition for a fixed duty of 8*s.* on corn. He thought that the present duty on apples had worked well, and so well that no increase should be made.

Mr. *Wakley* said, the committee had been granted by Lord Melbourne's Government, and the question had been fully considered. He should move that a duty of 5 per cent. should be levied on apples, instead of 6*d.* a bushel.

The committee divided on the question that the word bushel stand part of the schedule, the amendment proposed being that it be left out with a view of inserting the words "for every hundred pounds of value:"—Ayes 110; Noes 51:—Majority 59.

List of the AYES.

Acland, T. D.
A'Court, Capt.
Ackers, J.
Acton, Col.
Antrobus, E.
Arbuthnott, hon. H.
Astell, W.
Bailey, J. jun.
Baird, W.
Bankes, G.
Baring, hon. W. B.
Baskerville, T. B. M.
Beckett, W.
Bernard, Visct.
Blackburne J. I.
Bodkin, W. H.
Boldero, H. G.
Botfield, B.
Bramston, T. W.
Bruce, Lord E.
Campbell, Sir H.
Clayton, R. R.
Clive, hon. R. H.
Corry, rt. hon. H.
Courtenay, Lord
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir C. E.
Douglas, J. D. S.
Egerton, Sir P.
Eliot, Lord
Estcourt, T. G. B.
Fellowes, E.
Filmer, Sir E.
Flower, Sir J.
Ffolliott, J.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt.hn.W.E.
Gordon, hon. Capt.
Gore, M.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon. sir J.
Grogan, E.
Hamilton, W. J.
Hardinge, rt. hn. Sir H.
Henley, J. W.
Hepburn, sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, R.
Holmes, hn. W A'Ct.
Hornby, J.
Jackson, J. D.
Jermyn, Earl
Johnson, W. G.
Jones, Capt.
Knatchbull, right hon. sir E.
Knight, F. W.
Legh, G. C.
Lincoln, Earl of
Litton, E.
Lockhart, W.
Lowther, J. H.
Lowther, hon. Col.
Mackenzie, W. F.
Mainwaring, T.
Marsham, Visct.
Martin, C. W.
Masterman, J.
Meynell, Capt.
Morgan, O.
Morgan, C.
Newry, Visct.
Nicholl, rt. hon. J.
Packe, C. W.
Palmer, G.
Peel, rt. hon. Sir R.
Plumptre, J. P.
Pollock, Sir F.
Praed, W. T.
Pringle, A.
Pusey, P.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rushbrooke, Col.
Ryder, hon. G. D.
Sandon, Visct.
Scott, hon. F.
Somerset, Lord G.
Stanley, Lord
Stuart, H.
Sutton, hon. H. M.
Tennent, J. E.
Tollemache, J.
Trollope, Sir J.
Trotter, J.
Tyrell, Sir J. T.
Verner, Col.
Vivian, J. E.
Whitmore, T. C.
Winnington, sir T. E.
Wortley, hon. J. S.
Wynn, Sir W. W.
Young, J.

TELLERS.
Sir G. Clerk
Sir T. Freemantle

List of the NOES.

Aglionby, H. A.
Aldam, W.
Archbold, R.
Baring, rt. hon. F. T.
Berkeley, hon. C.
Brodie, W. B.
Brotherton, J.
Browne, hon. W.
Busfeild, W.
Childers, J. W.
Christie, W. D.
Clements, Visct.
Cobden, R.
Craig, W. G.
Duncan, G.
Duncombe, T.
Dundas, Admiral
Escott, B.
Evans, W.
Forster, M.
Gibson, T. M.
Gill, T.
Gordon, Lord F.
Hume, J.
Hutt, W.
Langston, J. H.
Loch, J.
Mangles, R. D.
Marsland, H.
Martin, J.
Mitcalfe, H.
Morris, D.
Napier, Sir C.
Ogle, S. C. H.
Parker, J.
Pechell, Capt.
Philips, G. R.
Philips, M.
Plumridge, Capt.
Russell, Lord J.
Seymour, Lord
Stansfield, W. R. C.
Stanton, W. H.
Strutt, E.
Thornely, T.
Turner, E.
Villiers, hon. C.
Ward, H. G.
Wawn, J. T.
Wilde, Sir T.
Wood, B.

TELLERS.
Bowring, Dr.
Wakley, T.

Item agreed to.

The other items relating to fruit were also agreed to.

The House resumed, and the committee to sit again.

COURTS OF LAW.] Mr. *Parker*, on behalf of Sir Thomas Wilde, moved to revive the committee appointed to consider the expediency of erecting a building in the neighbourhood of the inns of court, for the sittings of the courts of law and equity, in lieu of the present courts adjoining to Westminster Hall, with a view to the more speedy, convenient, and effectual administration of justice.

Sir *J. Graham* consented to the motion, but said, that in doing so, he must not be considered as expressing any opinion on the subject.

Motion agreed to.

Committee to be nominated.

House Adjourned.

HOUSE OF COMMONS,

Wednesday, May 25, 1842.

MINUTES.] BILLS. *Private.—Reported.*—Yate Inclosure; Bates's Naturalization; York Cathedral; Indemnity; Mutual Marine Insurance Company (No. 2),

PETITIONS PRESENTED. By Mr. M. Phillips, and Mr. Evans, from Roman Catholics of Foxcote, Newcastle-upon-Tyne, New Mills, Manchester and Salford, for the Equalization of Civil Rights.—By Major Beresford, from the Owners of Fishing Vessels, for the Daily Supply of the London Market, against the Proposed Scale of Duties of Foreign Fish.—By Mr. Sergeant Jackson, from Limerick and Fermoy, against the Fisheries (Ireland) Bill.—By Lord Elliott, from Kerry and Cork, in favour of the Fisheries (Ireland) Bill.—By Mr. J. S. O'Brien, from Wick, Pulteney Town, and Limerick, against the Reduction of the Duty on Rope and Cordage.—From South Shields, against the Alteration of the Differential Duties between East India and Carolina Rice.—From the Governors of the Ballygan Dispensary, and Ballina Fever Hospital, and Castle Cormor Dispensaries, against placing such Institutions under the control of the Poor-law Commissioners.—From the Citizens of Waterford, for the Establishment of a Daily Communication between Breendown, in the Bristol Channel, and the Port of Waterford.—By Mr. Lyall, from Owners of Vessels, and others interested in the Whale Fishery, against the proposed Reduction on Oil and Whalebone, the Produce of Foreign Fishing.—From Kirby, Bedon, Cromer, Woodbastwick, Kippswith, Bastwick, Gresham, Great Yarmouth, Clavering, and other places, for Inquiry into the System of Education pursued at Maynooth College.—From Tickinhall, and Finchingfield, against any further Grant to Maynooth College.—From the President and Vice-Presidents of the Society of Attorneys and Solicitors of Ireland, for the Repeal of the Act 4 and 5, Will. 4, for facilitating the Loan of Monies on Landed Securities in Ireland.—From Lismore, for Alteration of the present System of Education (Ireland).—From Attornies at Tiverton, for the Repeal of the Stamp Duty on their Certificates.—By Mr. Aglionby, from Wheatley, for further Limitation of the Hours of Labour of Young Persons in Factories; and from Keswick, for the Abolition of the Duty on Foreign Wool.—From Halifax, for a Clause in the Parish Constables Act to Indemnify Overseers for their Expenses in carrying the Act into effect.—By Mr. S. Wortley, from Huddersfield, Shelley, Lingards, Kirkburton, and other places, for the Repeal of the Poor-law Amendment Act.—From Crewkerne, for the Amendment of the Law of Rating Tithes.—By Mr. Villiers, from Manchester, for the Repeal of the Corn-laws.—From South Shields, against the proposed Reduction of the Timber Duties.—By Mr. Shaw, from Ballyrashane, for declaring Valid Marriages solemnized by Presbyterian Ministers in Ireland between Members of the Established Church and Protestant Dissenters.—From Tamworth, Liverpool, Prescot, Ashton, Warrington, and other places, against the Turnpike Roads Bill.

POOR-LAW ASSESSMENT ACT.] Sir *R. H. Inglis* would ask the right hon. Baronet, the Secretary for the Home Department, whether it was his intention to renew the Parochial Assessment Act, which would expire in two months? There was a great evil in the frequent renewal for a short period of important acts.

Sir *J. Graham* replied, that he had already stated that the whole subject of rating must come under discussion; he did not think it desirable to introduce a matter of such difficulty in the Poor-law bill; but as he anticipated that it would be necessary to bring the whole subject of rating before the House next Session, he would renew the present bill for one year.

RAILWAYS—LOCKING IN.] Sir *R. H. Inglis* asked the Vice-President of the Board of Trade whether her Majesty's Government had made any recommendation to the different railway companies on the subject of locking in, and whether those railways which had hitherto felt a reluctance to accede to public opinion, had complied with such recommendation.

Mr. *Gladstone* must state, as a matter of justice to the Great Western Railway, that till recently the officers of the Board of Trade had not come to any definite conclusion in their own minds as to locking the second door on railways, so as to lead the Board of Trade to address the railway companies on the subject. It was only recently, and after the accident in France, that any recommendation had been made to the Great Western Railway Company; it was now under the company's consideration, he had no reason to think that they would adhere with pertinacity to regulations adopted by them, but they would no doubt show every reasonable desire to meet the wishes of the public.

CUSTOMS ACTS—THE TARIFF—BACON.] On the motion of Sir R. Peel, the House resolved itself into committee on the Custom's Duties Bill.

On the item that the duty on bacon be 14*s.* cwt.

Mr. *Miles* said, he wished to direct the attention of the House to the effect of a differential duty upon hams between the colonies and the United States. They might look for a great importation of salt meat from the United States, and in that case, coming by New Orleans, the freight would be 1*s.* 6*d.* and the duty 8*s.* per cwt., making altogether 9*s.* 6*d.*; if the Americans, however, wished to import it through the Canadas, the freight would be 4*s.* 1*d.* and the duty 2*s.* 6*d.*, making altogether 6*s.* 7*d.* per cwt. In the case of bacon and hams, the duty, if taken directly from America, would be 14*s.*; if from the Canadas only 3*s.* 6*d.*; the same freight would be applicable whether taken by the river to New Orleans or down Lake Erie. So a hundred weight of hams, if sent to New Orleans, would pay 1*s*. 6*d*. freight and 14*s*. duty, altogether 15*s*. 6*d*. If, however, sent through the canal and by Lake Erie, it would be 4*s*. freight, and 3*s*. 6*d*. duty, making altogether 7*s*. 6*d*., so there would be a difference of 8*s*. in favour of transporting through the Canadas rather than by the natural channel. He had risen merely to submit this to the House: he thought it worthy the attention of the right hon. Baronet, as relating to the subject of differential duties.

Sir *R. Peel* said, that of the two doctrines announced by the noble Lord opposite (Lord Howick) and by an hon. Gentleman last night, the one for imposing no new differential duties on the productions of the colonies when imported into this country—the other, of placing the colonies in this respect on a footing with the rest of the empire, as if an integral portion of it—he certainly preferred the latter. With respect to the item now under discussion, he thought that, considering the difficulty of transit, except at one part of the year, from the Western States to Canada, heavy goods would not be much carried to evade the duty.

Mr. *Labouchere* said, this was true of cattle, but not of provisions; for of many of the Western States the St. Lawrence was the natural outlet, and it was of great political importance to this country so to keep it. There was a commercial body in Canada as well as an agricultural one, whose interests ought to be attended to. He considered the boon which was bestowed would be diminished if the Government refused to allow the importation of provisions across the borders into Canada from America. By allowing that importation provisions might come into this country at a lower rate, and it would have a tendency to increase the commercial relations between both.

Mr. *Gladstone* said, the same means would be adopted for the prevention of fraud in the importation of provisions into this country from America through Canada as were now used to guard against fraud with respect to the importation of American flour.

Viscount *Howick* said, he thought her Majesty's Government ought to impose a duty on all bacon introduced into Canada from the United States of America. If they adopted the principle of the differential duties, they must introduce what was really United States bacon, under cover of being Canadian bacon, at a lower rate of duty than if it came by its natural channel. Instead of fixing a duty, as now proposed, of 14*s*. on the bacon of foreign countries, and 3*s*. 6*d*. on that of the colonies, he would ask, whether it would not be more reasonable to adopt a lower and intermediate rate of duty, which would be applicable to all bacon. He did not wish to go back to the discussion of the general question of differential duty, but he must say, that he believed it to be impossible to place our colonies on the same footing as English counties. The fair way would be to impose the same rate of duty upon articles, come from what country they might, and not give the colonies any advantages by a false principle of differential duty.

The proposed rate of duty on bacon and other provisions was agreed to.

BUTTER.] The clause that the duty on Butter per cwt., on importations from foreign countries; and on importations from the colonies—

On the question, that the blank be filled up with the words twenty shillings.

Lord *J. Russell* wished to ask the right hon. Gentleman, why it was intended to maintain the duties on butter and cheese at such high rates. He had understood, that it was the intention of the right hon. Baronet to impose a low rate of duty on those articles. He had no doubt that a considerable amount of revenue was derived from them; but as they were articles of extensive consumption, he deemed it very desirable that the principles of reform which had been applied to other articles should be extended to these.

Mr. *Gladstone* said, that one reason which had led the Government to maintain these rates of duty was that a very considerable amount of revenue was derived from this source.

Mr. *Labouchere* thought, that if the duty on these articles were reduced, the revenue would suffer no loss from the reduction; for if a diminution of revenue should, in the first instance, result from such a step, he had no doubt it would soon regain its present amount.

Viscount *Howick* said, at the moment the Government were telling the House, that they were keeping up this duty for the sake of revenue, they were reducing the same article, the produce of the colonies, to one-fourth its present rate of duty. The result would be, that the consumer would not get the relief, but the revenue would be damaged by the introduction of American under the name of Canadian butter. He should move an amendment:

> "That the duty levied upon butter from foreign countries, shall be 10*s.* instead of 1*l.*"

He trusted the House would adopt this. If they were to risk the revenue, by lowering the duty on colonial butter, at all events, let the consumer have the advantage.

Sir *R. Peel* was surprised, that the noble Lord did not carry out his own doctrine, and propose, that the duty on colonial timber should be 10*s.* also, for, certainly, it was entirely in opposition to the principle which the noble Lord had placed on record, to propose a discriminating duty as between foreign and colonial butter, which was, however, the effect of the noble Lord's motion. He hoped, that the House would not assent to that motion; the greater part of the butter imported into this country was derived from Holland, and if any one continental country had a decided advantage as to the importation of butter, he doubted whether the proposal of the noble Lord would realize that benefit to the consumer here which was anticipated. This was a question involving 400,000*l.* or 360,000*l.* of duty, and the noble Lord said, that if the Government were making experiments in reducing the revenue, they (the Opposition) ought to have a hand in it. He doubted whether that was a perfectly legitimate course of proceeding; but the Government had proposed measures which would occasion as great a defalcation in the revenue as the finances would bear. The noble Lord said they were about to obtain 4,000,000*l.* by the Income-tax; but before he made any further reduction in the revenue, he would like to see that amount realised. When they got 4,500,000*l.* or 5,000,000*l.* then let them consider further reductions, but when he brought forward the additional estimates, it would be found that he had not overrated the financial demands of the country. He was told on one side of the House, that he was dealing roughly with the manufacturers of the country, and on the other, that he was injuring the agricultural interest; but he found, that when they came to articles, as butter, a reduction of the duty was sure to be proposed on the opposite side of the House; and he begged his agricultural Friends to compare the practical course adopted on the opposite side of the House with the soothing expressions which were sometimes used towards them. All those soothing expressions, he hoped, would be weighed in the proper balance, and that hon. Members would set against them, the present proposal of the noble Lord.

Mr. *T. Duncombe* said, the right hon. Baronet need not be under the slightest apprehension of his Friends not supporting this duty. The fact was, after the reduction on horned cattle, it was given them as a sort of sop and set-off. But it was clear, that the amendment must produce a reduction to the consumer; that was the common-sense point. He believed it was an ascertained fact that three-fourths of the butter and cheese imported, was consumed in the metropolis. The public looked to a reduction in the price of living, and they looked to these two important articles, cheese, and butter, and found no reduction.

Mr. *O. Gore* should be sorry to see the tax on butter reduced, on behalf of the poor agricultural labourers. They lived by their labour, and the production of butter and cheese gave them employment.

Mr. *C. Buller* was not inclined to look on the two articles of butter and cheese, with indifference, because they were the necessaries of life for the people next to bread. When the hon. Member for Salop came forward, and invoked their sympathy on behalf of certain imaginary poor farmers who raised cheese, when it was a well known fact, that the great bulk of the cheese consumed was the produce of large dairy farms held by some of the richest farmers in the country, he asked their sympathy on behalf of the whole industrious population to whom cheese was, next to bread, the staff of life. If they were going to give away revenue, give it away on the necessaries of life, and not upon timber. The poor people did not eat timber as they were said to eat sawdust in some foreign countries. The right hon. Baronet was in want of revenue, and as he knew he would willingly receive all contributions, he would tell the right hon. Baronet, that he had greatly miscalculated the produce of the Income-tax; and he found also, the other day, that the right Baronet had miscalculated the rental of this country enormously. There had recently been a return moved for by the hon. Member for Limerick which proved this. The right hon. Baronet had calculated the rental as it was in 1816, and had calculated it at nearly 10,000,000*l.* less than it was in the present year. [" No, no."] Yes; he had taken his pencil out, and put the larger sum at top, and the other sum below it, and had substracted the one from the other, and there was a difference of 10,000,000*l.* On these grounds he thought the right hon. Baronet might give up the paltry revenue he derived from cheese.

Mr. *C. Colville* said, that 15,000 cwt. of American cheese had been brought in within the last four months; and that had produced the most ruinous effects upon the Derbyshire farmers. He hoped, therefore, the Government would maintain a fair protection for the agricultural interest in respect to these articles; and with regard to cheese, he should hereafter move that the duty be raised from 6*s.* to 10*s.*

Mr. *Ward* wished the hon. Member would speak intelligibly; what the hon. Member thought fair protection he thought most unfair. The system of protection had been tried by hon. Members opposite, and had only produced distress; and he wanted to know why the right hon. Baronet would not try the opposite system advocated by his Friends. He thought the noble Lord's amendment one called for by the circumstances of the case, and he should give it his most cordial support. It would confer a great benefit on the whole consuming population of the country, and would be disadvantageous only to those engaged in the dairy farms.

Dr. *Bowring* said, he thought the proposed plan, with regard to foreign butter, would raise the price 2*d.* per lb. Butter was an article which constituted one of the greatest luxuries, or he might say, necessaries of the people. Would not the right hon. Baronet consider the interest of the poor consumers, who constituted the multitude, rather than that of the producers, who were the few? In leaving the duty upon butter and cheese as heavy as it was before, a very unfavourable opinion of the tariff had been raised throughout the country.

Lord *J. Russell* said, that the right hon. Baronet had stated that the greater portion of the butter imported came from Holland, but from Mr. Meek's report it appeared that Kiel alone sent 2,000,000lb. to Great Britain. Having heard so often of late from the Vice-President of the Board of Trade that the population had increased greatly, and that it was most important to reduce the price of provisions, a principle in which he fully concurred, he was glad to have an opportunity of carrying it out by supporting the motion of his noble Friend.

Mr. *Gladstone* said, that the proposed reduction would not materially increase the amount imported, or consequently lower the price to the consumer.

Mr. *Hume* thought this one of the most impolitic taxes that could possibly be levied. If the right hon. Baronet really meant (as he said) to relieve the distresses of the people he ought to take off this tax.

The committee divided on the question that the blank be filled up with " ten shillings":—Ayes 59; Noes 115: Majority 56.

List of the Ayes.

Aldam, W.
Barclay, D.
Barnard, E. G.
Bowring, Dr.
Browne, hon. W.
Busfeild, W.
Byng, G.
Childers, J. W.
Clive, E. B.
Cobden, R.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Divett, E.
Duncan, Visct.
Ebrington, Visct.
Escott, B.
Evans, W.
Fielden, J.
Forster, M.
Gill, T.
Guest, Sir J.
Hill, Lord M.
Howard, hn. C. W. G.
Howick, Visct.
Hume, J.
Hutt, W.
Labouchere, rt. hn. H.
Lemon, Sir C.
Loch, J.
Marsland, H.
Martin, J.
Mitcalfe, H.
Morris, D.
Napier, Sir C.
Ogle, S. C. H.
Ord, W.
Parker, J.
Philips, G. R.
Philips, M.
Rice, E. R.
Russell, Lord J.
Seymour, Lord
Stansfield, W. R. C.
Strutt, E.
Thornely, T.
Troubridge, Sir E. T.
Tufnell, H.
Turner, E.
Villiers, hon. C.
Wakley, T.
Ward, H. G.
Wawn, J. T.
Williams, W.
Wood, B.
Wood, C.
Wood, G. W.
Wrightson, W. B.
Yorke, H. R.

TELLERS.

Buller, C.
Duncombe, T. S.

List of the Noes.

Acton, Col.
Allix, J. P.
Astell, W.
Baillie, Col.
Bankes, G.
Baring, hon. W. B.
Bell, M.
Bernard, Visct.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Bruce, Lord E.

Burroughes, H. N.
Chelsea, Visct.
Chute, W. L. W.
Clayton, R. R.
Clive, hon. R. H.
Colvile, C. R.
Conolly, Col.
Cresswell, B.
Cripps, W.
Darby G.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir H.
Douglas, Sir C. E.
Drummond, H. H.
Duncombe, hon. A.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Emlyn, Visct.
Esmonde, Sir T.
Estcourt, T. G. B.
Farnham, E. B.
Ferguson, Sir R. A.
Filmer, Sir E.
Fitzroy, Capt.
Follett, Sir W. W.
Ffolliott, J.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. h. W.E.
Glynne, Sir S. R.
Gordon, hon. Capt.
Gore, W. O.
Goulburn, rt. hn. H.
Graham, rt. hn. Sir J.
Greenall, P.
Grogan, E.
Hamilton, W. J.
Hardinge, rt. hn. Sir H.
Heneage, G. H. W.
Henley, J. W.
Hepburn, Sir T. B.
Hervey, Lord A.
Hodgson, R.
Hogg, J. W.
Houldsworth, T.
Hope, hon. C.
Ingestre. Visct.
James, Sir W. C.
Johnson, W. G.
Johnstone, H.
Jones, Capt.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Legh, G. C.
Lincoln, Earl of
Lowther, J. H.
Lygon, hon. General
Mackenzie, T.
M'Geachy, F. A.
Mahon, Visct.
Manners, Lord J.
Marsham, Visct.
Martin, C. W.
Master, T. W. C.
Miles, W.
Morgan, O.
Murray, C. R. S.
Nicholl, rt. hn. J.
Norreys, Lord
O'Brien, A. S.
O'Brien, W. S.
Packe, C. W.
Pakington, J. S.
Palmer, R.
Palmer, G.
Patten, J. W.
Peel, rt. hn. Sir R.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Price, R.
Pringle, A.
Pusey, P.
Reade, W. M.
Repton, G. W. J.
Richards, R.
Rose, rt. hn. Sir G.
Round, C. G.
Rushbrooke, Col.
Scott, hon. F.
Shaw, rt. hn. F.
Somerset, Lord G.
Stanley, E.
Sturt, H. C.
Thompson, Mr. Ald.
Tollemache, J.
Vere, Sir C. B.
Wortley, hon. J. S.
Wyndham, Col. C.
Young, J.

TELLERS.

Clerk, Sir G.
Fremantle, Sir T.

Blank filled up with "twenty shillings" and "five shillings" on colonial butter.

CHEESE.] On the clause that the duty on cheese of or from foreign countries be the cwt., of or from British possessions. The question put that the blank be filled up with "ten shillings."

Viscount *Howick* said, that the principle in this case being the same as in that which the committee had just decided, he should offer as far as he was concerned no opposition to the proposition of the Government in respect to cheese.

Sir *P. Egerton* called the attention of the committee to the large quantity of cheese that had been imported into the country within the last six months from the western states of America. The result of that large importation had been that the price of Cheshire cheese had fallen in the market from 10*s*. to 15*s*. per cwt. He believed it was a consideration of these circumstances that had induced the Government to maintain the present rate of duty. The cheese-growers of the country were anxious to give every fair play to the colonial producer, but they feared that the American cheese would be brought in large quantities across the border into Canada, and thence imported into England as colonial produce. He therefore thought it advisable that the differential duty should be increased from 2*s*. 6*d*. to 5*s*., so as to protect the home-grower from the importation of American cheese in the way he had described.

Mr. *Labouchere* regretted that the Government had not greatly reduced the duty on cheese, as it was a most important necessary of life. He referred to a Cheshire Conservative newspaper, in which it was stated that the Conservative Members for that county had been enabled to influence the Government to keep up the protection on cheese, when it was reduced on most other articles of provisions. The article to which he alluded was in the *Chester Courant*, a respectable Conservative newspaper, and was as follows:—

"The new tariff lowers the duties on all provisions admitted into this country, excepting those on cheese and butter: the continuance of the present duty on foreign cheese ought, therefore, to be considered by farmers as a decided gain, and should be viewed by them in the light of a protection. For this advantage, agriculturists are indebted to the Members of our county; for, by their unremitting applications to the Board of Trade, and to their strong remonstrances with the board, they obtained the omission of foreign cheese in the regulations of the new tariff, which includes every other article of food. Our indefatigable Members were not, however, satisfied with this omission alone; they obtained an assurance from the Colonial Secretary, that all American cheese, in its transit through Canada, or any of the British North American possessions, shall be branded or marked on passing the border; so that the introduction of it into any port of Great Britain or Ireland shall not be allowed, without payment of the present duty on foreign produce."

The hon. Members for Cheshire had probably been more energetic in private than in public, and to them, according to this paper, the country owed this result.

Sir *R. Peel* said, the right hon. Gentleman ought to make some allowance for the desire of the editor of a country paper to paint in glowing colours the Members for the county. He could only say, that in this, as in all other cases, he had acted wholly without deference to any local or political interest, as his right hon. Friend near him well knew. He could say, indeed, that he had never received any representations from the Members for the county of Chester on the subject. He could assure the right hon. Gentleman, upon his honour, that he had decided on this point without any communication at all with any party concerned in the matter.

Mr. *Labouchere* said, it was wholly unnecessary for the right hon. Baronet to dwell upon his disavowal; whatever fell from him of that nature must, of course, be received with implicit credence in the House.

Mr. *Gladstone* could corrobarate what had been stated by his right hon. Friend, but he wished to re-establish in some degree the character of the hon. Members for the county. His right hon. Friend had said that they had made no applications to him; but the same could not be said with respect to the Board of Trade, for the hon. Baronet (Sir P. Egerton) and a considerable array of Gentlemen connected with the county had come forward and pressed the Board of Trade, not for the continuance of the present duty, but for a considerable increase of it.

Mr. *T. Egerton* could so far confirm what had fallen from the right hon. Gentleman as to say, that he had made many applications on this subject, to all of which a deaf ear had been turned. He was in favour of the protection, for unless the dairy farmers had due protection it would be impossible for them to compete with America.

Mr. *M. Philips* felt it due to the working classes, whose distress he had daily had an opportunity of witnessing, to make a distinct motion for the reduction of the proposed duty on cheese. He did not think, that because there existed a temporary depression in the trade in that article, the House ought to legislate as if the depression would be permanent. He did not think the farmers of this country had anything to fear from the importation of cheeses from America. He feared, however, that from various causes inferior cheeses were now manufactured. In consequence of the great demand for butter, which was so essential an ingredient in good cheese, an inferior article was manufactured, in the composition of which there was little or no butter. The Government would do much better to yield on the article of butter, because then an article would be manufactured and brought to market with which no foreign cheese could compete in quality. The hon. Member concluded by moving a reduction of the duty from 10*s*. 6*d*. to 7*s*. 6*d*.

Mr. *T. Egerton* informed the hon. Member that there were two kinds of cheese made in Cheshire, one an inferior kind, called "toasting" cheese, and the other a superior article, in which the butter was allowed wholly to remain.

Mr. *Hume* deprecated the adoption of any measures to discourage the importation of the produce of America, at the time when the United States were deliberating upon their own tariff, and when the resolutions they might adopt might affect our trade for years to come.

Mr. *Cobden* remarked, that the increased importation of cheese from America had been accompanied by a decline in the importation from the continent. He rose, however, to protest against the attempts made by the landed interest to raise the price of food in the present condition of the community. He should not fail to remind the freeholders of Stockport, Ashton, and the other towns from which the Members for Cheshire derived influence at their elections, of the manner in which those hon. Gentlemen had endeavoured on this occasion to raise the price of an article of food so essential to the poor. How long would the landed interest still continue thus to drive on the working classes? How were those classes to subsist if every attempt to give increased facilities to the export of manufactures by the reduction of duties on imports was met by this perpetual cry of protection? The landed interest were driving the working classes on faster than they were aware of. If they understood their own real interest they would give every possible encouragement to manufactures as a source of employment to the poor. Upon the prosperity of the manufacturing interest depended the safety of the agricultural interest. If the manufacturers were ruined, and were forced to transport the wreck of their capital to other countries, where they would be hailed with welcome, what would then become of the working classes? Destitute of employment, they would turn round upon the landed interest, and the land would have at last to be given up to those hungry mortagees, the poor.

Mr. *Wakley* said, although it was quite true that the right hon. Baronet at the head of her Majesty's Government had laid hold of the monster monopoly, and given it a terrible shake, yet it was a monster still, and both great and powerful. Last night the monster showed himself from Kent, to-night he had come from Cheshire. What would be the end of it all he knew not, but of this he felt sure, that if the agricultural interest could carry out their full scheme, there would be a revolution in this country in less than three years. They were even now pursuing a mad course. He only wished some of the hon. Gentlemen opposite would put forth their whole scheme of Government. They were now for increasing the duty on cheese. It was very fortunate indeed that the people could not eat wood. If the people could eat timber, what an outcry would be made against the right hon. Baronet for reducing the duties on timber. He would not have dared to reduce them. It was really monstrous for hon. Gentlemen to stand up in that House and object to the reduction of the duties on the food of a starving people, pretending that their zeal was all for the interests of the farmer. What did those hon. Gentlemen care about the farmer? Their real object was to keep up their rents, and for the sake of keeping up their rents they would maintain a system of protection the effect of which must be to reduce everything to anarchy and confusion. He must say, though, that the fault lay more with the House than with the right hon. Baronet: experience had shown that if that House were to make a strong demonstration against that system of protection, the right hon. Baronet would then turn round to his ultra supporters, and avow his determination to legislate for the whole people, and not for a class.

Mr. *Darby* denied that the landed interest looked to themselves alone. They had willingly sacrificed the timber duties in order to bring the building of ships back to the country, and so give increased employment to the people. With regard to corn, also, they had shown a readiness to adopt that system which, by abandoning high rates of duty, equalized the price of corn and prevented sudden rises in the price of food.

Mr. *Ward* said, it was the landed interest who would gain by the reduction of the timber duties. If the landed interest were determined to continue adding to the price of food, and refusing to do justice to the people, they must not be surprised if the day should come when the people would do justice to themselves.

Mr. *Jervis* could not support the amendment of the hon. Member for Manchester, because he conceived, if the House were of opinion that there must be protection, that it ought to be an adequate protection. To the principle he was opposed, but the principle being maintained, he felt it due to his constituents to vote for the amount of duty proposed by the Government in preference to that moved by his hon. Friend.

Mr. *F. Baring* said, that the proposed reduction was so very small that he hoped the House would agree to it, particularly as it regarded an article which was, perhaps, next in importance to the article of bread.

Sir *R. Peel* thought, that the tenour of the observations made by hon. Gentlemen opposite would afford the House a fair opportunity of judging what the difficulties were which any one had to contend with who undertook to amend the commercial tariff of the country. When he saw the hon. Member for Chester enter the House a few minutes ago, he said to himself, "Here comes a fresh accession to the advocates of free-trade." The hon. Member however, while he took care to defend his general principles in favour of free-trade, said that on this occasion he must vote in favour of Chester. The hon. Member made use of an ingenious argument to justify himself in taking that course, namely, that protection ought to be done away with, but that the question being between a duty of 7*s*. 6*d*., and 10*s*., he was obliged to come to the conclusion that the duty of 10*s*. was the better of the two. He was listening to those ingenious arguments day after day, and he only referred to them now, in order to point out the real difficulties with which he had to contend. He therefore, hoped that the House would take the tariff as a whole, instead of trying to put him in a minority upon individual articles. He thought that the wisest conclusion they could come to at present was to finish the tariff that night, and get done with it.

Mr. *Hume* fully coincided in what had fallen from the right hon. Baronet, but he conceived that the difficulties with which he had to contend were mainly attributable to the Gentlemen who sat behind him.

Sir *J. Guest* said, that the duty proposed by his hon. Friend was too high and he would move that the duty be *5s.*

Mr. *M. Phillips* had not the slightest objection to a larger reduction, and only proposed a moderate one in the hope that hon. Gentlemen opposite would be induced to agree to it. The loss of one stray vote, however, in the hon. Member for Chester would not deter him from taking the sense of the House on the proposition he had made.

Mr. *Greene* intimated that the question must be first put on the smaller amount of *5s.*

The committee divided on the question that the duty be *5s.*:—Ayes 37; Noes 82: Majority 45.

List of the Ayes.

Barclay, D.
Baring, rt. hn. F. T.
Barnard, E. G.
Bowring, Dr.
Browne, hon. W.
Busfeild, W.
Cobden, R.
Craig, W. G.
Crawford, W. S.
Divett, E.
Duncan, G.
Evans, W.
Fielden, J.
Forster, M.
Gibson, T. M.
Gill, T.
Hume, J
Lemon, Sir C.
Marsland, H.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Pendarves, E. W. W.
Philips, M.
Rice, E. R.
Stansfield, W. R. C.
Strutt, E.
Thornely, T.
Turner, E.
Villiers, hon. C.
Wakley, T.
Ward, H. G.
Wawn, J. T.
Williams, W.
Wood, B.
Wood, G. W.
Yorke, H. R.

TELLERS.

Guest, Sir J.
Parker, J.

List of the Noes.

Allix, J. P.
Astell, W.
Baillie, Col.
Baring, hn. W. B.
Bramston, T. W.
Broadley, H.
Butler, hon. Col.
Cayley, E. S.
Clayton, R. R.
Codrington, C. W.
Colvile, C. R.
Courtenay, Lord
Cripps, W.
Darby, G.
Denison, E. B.
Dickinson, F. H.
Duncombe, hon. A.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Esmonde, Sir T.
Farnham, E. B.
Fitzroy, Capt.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gordon, hon. Capt.
Gore, W. O.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Greenall, P.
Hamilton, W. J.
Hardinge, rt. hn. Sir H.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hodgson, R.
Hogg, J. W.
Hope, hon. C.
Jackson, J. D.
Jermyn, Earl
Jervis, J.
Johnson, W. G.
Jones, Capt.
Kemble, H.
Knatchbull, right. hon. Sir E.
Legh, G. C.
Lincoln, Earl of
Litton, E.
Mackenzie, T.
McGeachy, F. A.
Marsham, Visct.
Martin, C. C.
Newry, Visct.
Nicholl, rt. hn. J.
O'Brien, W. S.
O'Conor, D.
Palmer, G.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Plumptre, J. P.
Polhill, F.
Pringle, A.
Pusey, P.
Reade, W. M.
Richards, R.
Round, C. G.
Scott, hon. F.
Shaw, rt. hon. F.
Stanley, Lord
Sutton, hon. H. M.
Tennent, J. E.
Tollemache, J.
Vere, Sir C. B.
Vivian, J. E.
Wortley, hn. J. S.
Wyndham, Col. C.
Young, J.

TELLERS.

Clerk, Sir G.
Fremantle, Sir T.

Duty to be 10*s.*

Onions.] On the article of "onions" being proposed,

Mr. *G. Palmer* moved, that the duty of 1*s.* be substituted for that of 6*d.* This, he thought but fair towards a very poor class of growers, the more particularly as the reduction proposed by the Government was enormous, being from 3*s.* to 6*d.*

Mr. *Gladstone* said, that he had not the slightest hesitation in opposing this amendment, as it was entirely without grounds or recommendation. The hon. Member for Essex said, that the reduction was enormous. But why? Because the duty was enormous. The duty of 6*d.* was quite as large as the Government felt themselves justified in proposing, and would, he believed, amount to 30 per cent. upon the value of the article.

Mr. *Wakley* said, that by this reduction the people of Essex might be injured, but they were not on that account to follow the example of the hon. Member for Chester. If each Member were to look to the special instead of the general interests, it would be impossible for a Government to carry any measure of this nature. It was a most unfortunate thing for the country that the House did not look more to its general interests. The hon. Member for Chester, for instance, having voted in favour of a protecting duty on cheese immediately left the House, consigning the question of onions to the protection of those hon. Members who represented the growers of that article. He sincerely hoped, that the independent Members of that House would give their assistance to the right hon. Baronet in the changes he was endeavouring to effect for the public good.

Duty agreed to.

POTATOES.] On the duty on potatoes being proposed,

Mr. *S. Wortley* said, it had been asserted, that potatoes from Holland and the coast of France would be introduced in such quantities at a low rate of duty as entirely to supplant the home cultivated vegetable. For his own part, he believed the statements on this point were highly exaggerated, but, as he understood her Majesty's advisers had made some inquiry into the subject, perhaps the right hon. Gentleman would state the result of the investigation.

Mr. *G. Palmer* declared his belief, that the apprehensions entertained on this point were well founded. This was a matter of great agricultural importance, and involved the principle of our dependence on or independence of foreign nations for a supply of the means of sustenance. The point, too, was one of great consequence as regarded the cultivation. Hon. Gentleman had scarcely any conception of the amount of labour expended on this article, the cultivation of one acre of which gave treble the employment given by the cultivation of one acre of wheat, whilst the produce was also fourfold as great. He very much regretted the course the Government were taking on this and similar subjects. They had better beware in time, and check their course ere they went too far. He already saw that the free-trade current was setting so strong, that if Providence did not remove the mist from their eyes they would soon be cast on rocks, off which neither sail nor oar could get them. He would venture in this case, to ask that the protecting duty should be 1*s.* per cwt. instead of 2*d.*, and would move an amendment to that effect.

Mr. *Gladstone* said, the reduction proposed to be made on the duty on this article was considerable, but he would venture to say, that there was no one article in the tariff on which a reduction could be more properly effected. With regard to the apprehensions prevailing on the subject, he did not believe for his own part, that the reduction of duty would at all operate to reduce the prices in times of ordinary home supply. The bulk of the article and the cost of its conveyance were effectual impediments to importation when ordinary prices prevailed, and rendered the amount of duty to be imposed almost immaterial. The objects, however, which were sought to be accomplished by a reduction of the duty were somewhat important. The first was to enable the poor consumer to obtain a supply of the article when the home production fell short, and the price suddenly and materially increased; the second was to secure the introduction of a class of very cheap potatoes, used in the starch and the other manufactures, of which class our produce was, in fact, very inconsiderable. He believed it to be capable of demonstration that a greater protection was afforded to an acre of potatoes than was afforded to an acre of wheat.

Mr. *Wakley* said, that according to the explanation given by the Government, it would appear that no reduction would take place in the price of potatoes. He was of a contrary opinion, and he thought this was the best proposition in the whole of the tariff. He had no notion of soothing the monster-monopoly, and he did not hesitate to say, that the reduction likely to be produced in the price of potatoes must ultimately affect the price of bread. It was an awful change from the cry of "No surrender," followed by the Kentish fire, to find the present Government admitting, to a certain extent, the principles of free-trade.

Mr. *Ainsworth* congratulated the hon. Gentlemen opposite upon the tariff as a whole, and this part of it in particular; he was sure it would be of the greatest service to the public, and he hoped it would be carried.

Mr. *S. Wortley* said, that hon. Member for Finsbury had misunderstood what had fallen from the right hon. Gentleman, the President of the Board of Trade. The right hon. Gentleman did not say that there would be no importation of potatoes; what he said was, that there would be no such great importation as would at all injure the property of the potato-growers of England.

Mr. *Escott* denied, that the farmers of this country were desirous of keeping up the price of potatoes. No good farmer wished to grow more potatoes than he could use in his own establishment; and though the hon. Member for Essex had come there to illuminate the Treasury benches, he could tell him that there were farmers who could very considerably illuminate him upon the subject.

Mr. *Beckett Denison* said, though he and his Colleague represented, perhaps, a larger portion of potato-growing country than any two Members of that House, he could not feel justified in voting for the hon. Member for Essex. He considered that the proposition was one which would tend to alleviate the burdens of the working classes, and he should, therefore, vote with her Majesty's Government.

Amendment withdrawn.

Proposed duty agreed to.

ORES—COPPER.] On the 5th schedule (ores, minerals, metals, and manufactures thereof) being proposed.

Sir *C. Lemon* suggested that it should be postponed for a few days, as a deputation on the subject from the county to which he belonged was expected to arrive to-morrow,

Sir *R. Peel* said, he really thought some better reason should be assigned for the postponement, as the county referred to by the hon. Baronet had had repeated opportunities of sending up deputations before. It was fairer to all interests that he should proceed as he stated in the outset—in the order of the tariff.

Sir *C. Lemon* said, the tariff, as regarded minerals, had undergone material change, and the people in Cornwall had not had a fair opportunity yet of considering it in its last form. An important meeting was held in that county on Monday last, and the deputation then agreed to was now on its road to London.

Sir *R. Peel* said, it would be better to proceed in the order of the tariff, for supposing that any reasons could be stated for a change in the schedule as it was now proposed, there would be an opportunity of stating them on a future day.

Mr. *Gladstone* said, that the five articles of copper first mentioned in the schedule, would stand the same in all respects, except one, and that was, that the 7*l.* 10*s.* duty should not apply to any copper ore which did not contain more than forty-five parts of copper. The reason for the change was, that the duty as first proposed would be a greater burden than the metal would be able to bear.

Mr. *Turner* moved, that the following words be omitted from the tariff:—

"Copper, Ore, of viz.:—

	£	s.
Containing not more than ten parts of copper, per ton of metal . .	1	10
Containing not more than 15 parts per ditto . .	3	0
Containing not more than 20 parts per ditto. . .	4	10
Containing not more than 25 parts per ditto. . . .	6	0
Containing more than 25 parts per do.	7	10

And in place thereof, to insert—

"That there be a fixed duty of 7*l.* 10*s.* on every ton of metal extracted from ores to be imported from foreign countries."

He felt, the greatest alarm as to the fate of the county of Cornwall, should not the Government give that consideration to this question which he thought it deserved for the interest of the country at large. The change that had taken place in the copper trade had rendered it necessary to make larger outlays of capital to meet the demands for our manufactures with respect to copper and tin produced by the mines of Cornwall, but notwithstanding those efforts there had been a great and progressive increase in the importation of foreign ore from Chili and Cuba. In 1832, the quantity imported, amounted only to 45,000 cwt., but in the year ending January, 1841, it amounted to 845,000 cwt., and for the year ending January, 1842, it had increased to 974,000 cwt. Now, the operation of that increase in the imports of foreign ore was most prejudicial to the trade in Cornwall, and the persons, not less than 40,000, who were employed in, and entirely dependent upon that trade; and if the duty now proposed by Government were adopted, it would not only be injurious to them, but to the country at large, and to the revenue. An hon. Member of that House, largely concerned in foreign mines, had told him, that before long, the foreign mines would certainly destroy our own Cornish mines. He put this matter to the right hon. Baronet as one affecting a dense population, which could not be turned over to any other employment; and in order to show how impossible it was for our Cornish copper mines, without a fair protection, to compete with the foreign mines, he would mention a fact which seemed almost incredible, that either in Cuba or Chili, ten men, in three months, had raised as much ore as 1,500 men could in Cornwall. To him it appeared that it was as unjust as it was inexpedient to do any thing calculated to discourage the working of the Cornish mines. The right hon. Baronet might expect great advantage both to the revenue, and to the interests of commerce, from the changes which he proposed; but he might, nevertheless, find that he had been reckoning too confidently on results which were beyond his control; for no man acquainted with the subject would deny the probability of there being an admixture of ores, which would defeat all his plans as to revenue. It was said, that foreign ores would not be brought into this country; but was that quite certain? Surely, the Government ought to take measures for the purpose of ascertaining whether there was any probability that foreign ores would be extensively introduced. In all legislation upon this important subject they should not lose sight of the fact, that the stoppage of the Cornish mines would be the loss of income amounting to a million derived from the earth. True, it might be, that the miners were losing greatly; but if they were compelled to lose more by the operation of the new tariff, they would be quite ruined. The hon. Member concluded by urging on the Government the justice, not of prohibitory, but of perfectly protective duties for the peaceful and industrious inhabitants of a whole county, and for the valuable interests embarked in an extensive business.

Mr. *Gladstone* said, the motion was not at all calculated to carry out the objects of the hon. Gentleman, seeing that it referred only to a species of ore of which but a small quantity had as yet been introduced into the country. Even as to that ore, however, the motion was as futile as impolitic; for as this sort of ore was not worth more than *7l. 15s.* per ton, and as the freight of the foreign ore would consume *5l.* of that price, it was manifest that with a small allowance for the expense of carrying the ore to the coast (even presuming that it was to be procured for nothing), there would be little field for profit, and little fear of injurious competition. But the fact was, that whereas the policy of the tariff hitherto seemed to have been to hold out a premium for the importation of refined ores, the Government deemed it a much sounder principle to facilitate rather the introduction of the rough ore, which would furnish more employment for our smelters. The hon. Gentleman had stated, that fifty mines had in a single year lost 49,000*l.*, yet he admitted, that there was a small mining interest growing up in Wales, and another in Ireland; such was the effect of those losses upon mining enterprises. The hon. Gentleman had also said, that ten men in Chili could produce as much copper in a given time as 1,500 men here; if that were the case, it was quite vain to attempt by any amount of protection to guard against such a state of things. With regard to the mines of Cuba, the effect of the tariff would be to leave them the same inducements to carry on their trade as there were at present. Then, with regard to the consumers of copper in this country, nothing was more important than that they should not be put to too expensive a charge for it, particularly the shipping interest and the manufacturers of copper articles, like those in Birmingham and Sheffield, who had been compelled to pay 10*l.* per ton more than foreign consumers. That inequality it was proposed altogether to remove, and to effect that purpose, the present system of smelting copper in bond was to be done away with. In fact, that was absolutely necessary for the success of the present measure. But how was the proposed equality to be produced? The hon. Member supposed that there would be a great fall in the price of British copper, and he spoke of a fall of 10*l.* per ton. But surely facts were against the hon. Member? Did he mean to say that the price had fallen considerably since the publication of the tariff? He did not speak of the local effect of the tariff in Cornwall: but as far as he could ascertain, the decrease of price in the London market had not been more than 2*l.* per ton. There was a great difference of opinion as to the amount of duty at which foreign copper ore should be admitted for smelting in this country. He thought that if the duty was too high, it would have the effect of driving the smelting of copper ore to other countries; it would not only drive the smelting abroad, but it would check altogether its coming into this country. The hon. Gentleman had stated correctly, that since the publication of the tariff the price of copper had risen abroad. He anticipated much benefit from the change proposed in the tariff with reference to this article. He believed that it would have the effect of securing to this country the whole business of smelting foreign ores; and that, at the same time, a real protection would be afforded to the Cornish miners. The manufacturers, the consumers of copper, would also derive a great advantage from the alteration. On these grounds he opposed the motion of the hon. Member.

Sir *C. Lemon* expressed his concurrence in the views propounded by the right hon. Gentleman the Vice-President of the Board of Trade with reference to the importance of smelting foreign ores in this country. He thought that we ought to make foreign nations as much as possible dependent upon this country. Whitbread, when speaking of the dependence of foreign countries upon our own, had remarked that the Americans would never shave themselves except with an English razor. He was willing to admit, that if the duty was raised too high on rich ores foreign countries would derive a great advantage from it. But that would not be the case with regard to ores of an inferior quality. He was prepared to admit that the present system was extremely vicious, and that the foreigner benefitted by it. If a large quantity of copper was introduced and a glut was occasioned, the effect would be to lower the price, and thus not only injure ourselves, but the foreigner likewise. He fully adopted the dictum of the right hon. Baronet at the head of the Government, that it was our duty to buy cheap and sell dear. The effect of the contemplated alteration would be so to lower the price of copper abroad that it would be out of our power to sell it at a high price. He understood that the Spanish government intended to increase the duty on copper ore. He thought that we ought to anticipate that increase of duty, and to derive whatever advantage was likely to result from it.

Lord *Eliot* placed confidence in her Majesty's Ministers, and was determined to support their plans as a whole. He should not be doing his duty to the country at large, although he might be supposed to be doing his duty to his constituents, if he were to support the amendment.

Mr. *Labouchere* agreed so much in the views of the right hon. Gentleman the Vice-President of the Board of Trade, and those views had been stated with so much ability, that he should not trouble the committee more than a very few moments. There was no duty on our customs' list which produced more evil than this duty on copper. It really turned against ourselves those great national advantages which this country had in smelting and working metals. We supplied foreign countries with this manufactured article at a much cheaper cost than our own people; and he, therefore, rejoiced that her Majesty's Government had come to the conclusion that it was necessary to put this trade on a more satisfactory footing. It was, however, necessary carefully to watch these new duties, to prevent them inflicting injury on the great mining trade of Cornwall, on which so large a portion of our population depended. He should most cordially support the proposition of her Majesty's Government.

Mr. *C. Buller* also said, he should heartily support the Government on the present occasion. He felt that legislation upon this subject must very deeply affec the population of Cornwall, whose subsistence depended entirely upon the productions to which this item of the tariff referred, but at the same time he felt that at the present moment the producers of every commodity in the country were called upon to make sacrifices of their own particular interests, for the promotion of free-trade, and for the sake of the general interests of the community. The responsibility of determining what proportion of the burden should be borne by each class rested with the Government, and he should be ashamed of the miners of Cornwall if he thought they could be unwilling to bear their fair share.

Mr. *J. E. Vivian* trusted, that care would be taken by the Government that no injury be done to the mining interests in Cornwall by this measure.

Mr. *Pendarves* considered the proposition of the Government a very hazardous experiment, for if the deep mines of Cornwall were once stopped they would never come into working again. The smelters of this country found the county of Cornwall the best market for the purchase of ores, and there was no doubt that their interests were intimately concerned in the question.

The committee divided on the question that the duty on copper ore containing not more than 10 parts of copper per ton of metal be 1*l.* 10*s.*—Ayes 158; Noes 7:—Majority 151.

List of the AYES.

A'Court, Capt.
Ackers, J.
Ainsworth, P.
Aldam, W.
Allix, J. P.
Bailey, J.
Bailey, J., jun.
Balfour, J. M.
Baring, rt. hn. F. T.
Baskerville, T. B. M.
Bernard, Visct.
Blackburne, J. I.
Blakemore, R.
Botfield, B.
Bowes, J.
Bowring, Dr.
Bramston, T. W.
Broadley, H.
Brotherton, J.
Browne, hon. W.
Bruce, Lord E.
Buller, C.
Byng, G.
Cardwell, E.
Cavendish, hn. G. H.
Chelsea, Visct.
Childers, J. W.
Christie, W. D.
Clayton, R. R.
Cobden, R.
Colebrooke, Sir T. E.
Colvile, C. R.
Corry, rt. hon. H.
Courtenay, Lord
Cripps, W.
Damer, hon. Col.
Darby, G.
Denison, E. B.
Dickinson, F. H.
Divett, E.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Drax, J. S. W. E.
Drummond, H. H.
Duncan, G.
Duncombe, hon. A.
Duncombe, hon. O.
Ellis, W.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Evans, W.
Fielden, J.
Ferrand, W. B.
Filmer, Sir E.
Ffolliott, J.
Forster, M.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt.hn.W.E.
Gordon, hon. Capt.
Goulburn, rt. hn. H.
Graham, rt. hn. Sir J.
Granger, T. C.
Greenall, P.
Grimsditch, T.
Grogan, E.
Hamilton, W. J.
Hardinge, rt.hn.Sir H.
Henley, J. W.
Hepburn, Sir T. B.
Hervey, Lord A.
Hobhouse, rt. hn.Sir J.
Hodgson, R.
Hope, hon. C.
Hornby, J.
Howard, hon. C.W.G.
Howick, Visct.
Hume, J.
Hutt, W.
Jackson, J. D.
Jermyn, Earl
Johnson, W. G.
Johnstone, Sir J.
Jones, Capt.
Knatchbull, right hon. Sir E.
Labouchere, rt. hn.H.
Lambton, H.
Lefroy, A.
Legh, G. C.
Leicester, Earl of
Lincoln, Earl of
Litton, E.
Loch, J.
Lockhart, W.
Lyall, G.
MacGeachy, F. A.
Mahon, Visct.
Manners, Lord J.
Marsham, Visct.
Marsland, H.
Martin, C. W.
Master, T. W. C.
Mitcalfe, H.
Mitchell, T. A.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Sir D. J.
O'Brien, W. S.
Packe, C. W.
Paget, Lord W.
Parker, J.
Patten, J. W.
Peel, rt. hn. Sir R.
Peel, J.
Philips, M.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Pringle, A.
Reade, W. M.
Redington, T. N.
Rice, E. R.
Rose, rt. hn. Sir G.
Round, J.
Rushbrooke, Col.
Russell, J. D. W.
Sanderson, R.
Sandon, Visct.
Scholefield, J.
Scott, R.
Scott, hon. F.
Seymour, Lord
Shaw, rt. hn. F.
Shirley, E. J.
Smith, A.
Somerset, Lord G.
Somerton, Visct.
Somerville, Sir W. M.
Stanley, Lord
Stanley, E.
Stansfield, W. R. C.
Stanton, W. H.
Strutt, E.
Sutton, hon. H. M.
Tennent, J. E.
Thompson, Mr. Ald.
Tollemache, J.
Trench, Sir F. W.
Verner, Col.
Villiers, hon. C.
Wawn, J. T.
Williams, W.
Wood, C.
Wood, G. W.
Wyndham, Col. C.
Young, J.

TELLERS.

Clerk, Sir G.
Fremantle, Sir T.

List of the NOES.

Acton, Col.
Gill, T.
Hay, Sir A. L.
Lemon, Sir C.
Morris, D.
Pendarves, E. W. W.
Vivian, J. E.

TELLERS.

Stanley, W. O.
Turner, E.

IRON BARS.] On the question that iron bars, unwrought, be subjected to a duty of 1*l.* the ton (foreign), and 2*s.* 6*d.* (colonial),

Mr. *Hume* altogether objected to the imposition of any duty on unwrought iron. Even the small duty of 1*l.* the ton would be sufficient to injure the home manufacturer competing with foreigners.

Mr. *Gladstone* said, that the producers of the superior kinds of iron claimed to have protection like any other class of producers.

Mr. *Parker* said, during the eight or nine years he had been in Parliament, there had been scarcely a year in which his constituents, the manufacturers of the higher kinds of Sheffield cutlery, had not memorialized the Board of Trade for the reduction of the duty on unwrought iron.

Sir *R. Peel* had the satisfaction of informing the hon. Gentleman that the Board of Trade had consented to take off one-third of the existing duty.

Mr. *Parker* hoped that next year they would consent to its total abrogation.

Mr. *Labouchere* expressed himself in favour of a further reduction than was proposed by the Government.

Mr. *Villiers* condemned it as a most unwarrantable protection.

Mr. *M. Philips* said, that every iron

manufactory in the country was interested in the reduction of the duty on this article.

Duty agreed to.

House resumed. Committee to sit again.

Adjourned.

HOUSE OF LORDS,

Thursday, May 26, 1842.

MINUTES.] BILLS. *Public.*—1ª Incumbent's Leasing (H. C.)

Reported.—Excise Duties Compound; Turnpike Roads, (Ireland).

Private.—1ª Rudyerd's Estate; Liverpool Improvement; Cauvin's Estate.

2ª Yarmouth and Norwich Railway; Slug Roads; Kingstown Mariners Church; Guarantee Society; Cwm Celyn, and Blaina Iron Company; South Metropolitan Gas; Warwick and Leamington Union Railway; Paterson's Estate.

Reported.—Aberdeenshire Roads.

PETITIONS PRESENTED. By Lord Hatherton, from St. Clements, Worcester, Waterman and others of the Severn, and the Worcester and Birmingham Canal, for the Prevention of Traffic on Sundays.—By the Lord Chancellor, from Authors, Booksellers, and Publishers of the United Kingdom, in favour of the Copyright Bill.—From Barnstaple, for the Alteration of the Poor-law Amendment Act.—By the Duke of Buckingham, from Buckingham, Hambleton, Medmenham, Newport, Maidenhead, Chrishall, Great Chishall, Little Chishall, and Winchester, for Protection for the Agricultural Interests; and from Manufacturers and Spinners of the West Riding of York, for a Limitation of the Hours of Attendance of Children in the Factories.

SUNDAY TRAFFIC ON CANALS.] Lord *Hatherton* said, he had given notice the other day of his intention to present a petition relating to a subject which had occupied much of the public attention since the last Session of Parliament—he alluded to the practice of Sunday employments on canals. Their Lordships were aware that various petitions had been presented in the last Session from boatmen and others employed on canals, complaining of not being allowed any rest on the sabbath from the ordinary labours of the week; and they prayed for inquiry into the subject, with a view to some legislative measure for putting a stop to the practice. A select committee of their Lordships was soon after appointed, and a great body of evidence was collected on the subject. He believed there was not a canal of any note in the kingdom which did not send witnesses, who all concurred in proving that some legislative measure was desirable on every ground, moral, religious, and political. The witnesses stated, that the workmen on the canals were all most anxious for a remission of their labour on the Sunday, but that unless the Legislature interfered they saw no prospect of any such remission during their lives. This was not that question of due observance of the sabbath, which had occupied the attention of that and the other House of Parliament some few years ago. It was, in fact, a question of police, and was so regarded by the committee who had investigated the subject. That committee did not report its opinions, but had collected a great body of evidence, which left no doubt of the injurious tendency of this continuous employment. The men employed on the canals were for the most part in a very low state of morality. Anything like education was grossly neglected, and few amongst them could write or read. In the city of Worcester, out of thirteen commitments for crime six were canal boatmen. This was enough to show the necessity of taking some step which would put an end to this demoralising practice. One reason why the practice was so general, was said to be that to put an end to it would occasion a serious diminution of the profits of the canal proprietors. This, however, was not a valid objection, for there were many instances in which canal owners had put a stop to Sunday trading, and the experiment had not occasioned any diminution of their profits, and no doubt was entertained by many canal owners that if the practice of Sunday trading was put down by law it would not occasion any loss to the owners, and many of them had expressed a wish that the suspension of trading on the Sunday should be general. But it might be asked, if they agreed in this respect, why might they not adopt some rules amongst themselves by which the practice could be put down? This would be found impossible by any private arrangement amongst the majority of canal owners. The canals were as open as the Queen's highway, and if any parties chose to go on with Sunday boating on canals, private regulations would not be found sufficient to restrain them. Attempts had been made for that purpose on some canals, by withdrawing the lock-keepers and their assistants on Sundays; but the experiment was unsuccessful. Under these circumstances, as individual efforts had failed, he was justified in asking the Government to introduce some measure which would be imperative on all the owners of canals. He therefore hoped that the attention of some Member of the Government might be directed to this subject, with the view of introducing some such measure as that to which he referred. He had only to add, that it was no part of the object of those with whom he was acting, to put a stop to personal travelling on canals or rivers on Sundays.

Lord *Wharncliffe* said, that he had been a member of the committee to which his noble Friend had alluded, and he admitted that the practice of Sunday trading on canals was one on which some legislative measure ought to be introduced; but he was not prepared to promise, on the part of the Government, that such a measure should be introduced in the present Session. There were already many important subjects under the consideration of Parliament, and he did not think that Government would like to open another subject of discussion before those were disposed of. If, however, his noble Friend would introduce some permissive measure on the subject, he would be ready to give it his best support.

Lord *Hatherton* was glad to hear what had fallen from his noble Friend, as it showed the attention of Government had been called to the subject. As to the introduction of some legislative measure on the subject, he did hope that his noble Friend himself would take it up; as, coming from him, it would have a weight and influence which could not be given by any individual not connected with the Government.

Lord *Wharncliffe* begged to repeat, that although the subject was deserving of great consideration, yet the Government could not undertake to do anything respecting it this Session. If his noble Friend thought it was a matter that was very pressing, it was quite competent for him to introduce a bill upon the subject.

THE QUEEN'S LETTER.] Lord *Kinnaird (Rossie)* rose, pursuant to the notice he had given, to move an address for a copy of the letter of her Majesty, authorising a collection in the Churches for the relief of the distressed in the manufacturing districts. When, on Tuesday last, he gave notice of his intention to move for a copy of the Queen's letter for a public collection to relieve the distress of the country, the noble Duke opposite (the Duke of Wellington) recommended him to inform himself better as to the existence of the letter itself before moving for it. Certainly, he considered that the information he on that occasion possessed was quite sufficient, and from subsequent inquiry he had found that he was perfectly justified in assuming the existence of such a document. Indeed, that fact was perfectly notorious in the country; and he was astonished that four Members of the Government, one of them the President of the Board of Trade, sitting on the bench opposite, should be ignorant of the fact, so well known in other quarters, that this letter of her Majesty had been issued many days ago. He confessed he was at the time, considerably surprised to learn, that the existence of it was at all doubted. It appeared to him very singular that her Majesty's Ministers, her sworn advisers, more especially the President of the Board of Trade, should have pleaded ignorance of any such document. It was most singular that her Majesty—than whom no Sovereign of this country had shown a more strong and sincere regard for the welfare of her subjects—could have signed such a letter, and have it countersigned by one of her Ministers, and that others of her Ministers should be ignorant of it. [The Earl of *Ripon:* I never pleaded ignorance.] He certainly understood the noble Earl to state that he did not know anything of the contents of the letter. He held a copy of the letter at that moment in his hand, and it bore internal evidence of its being authentic. Such a fact as that some of the Cabinet advisers of the Crown were ignorant of this letter, went a good way to strengthen a feeling which was very general in the country, that the Government was carried on by one individual only,—an individual, no doubt, of surpassing talent and abilities, but who did not think it worth his while to consult his Colleagues on great and important subjects, but regarded them as so many ciphers. From the ability of the individual at the head of the Government, he, for one, had been inclined to expect great things. Judging from his speeches, no man could be more liberal in his sentiments, but when his measures were looked to, he feared that, after all, very little could be expected. As to the tariff, he could not help regarding it as a precious piece of humbug. He hoped, however, that they should see other measures of a more liberal tendency emanate from one whose opinions and speeches were of so liberal a caste, and that at least one good effect would ensue, and that his less liberal Colleagues would quietly succumb to the opinions of their chief. He certainly expected to see them

—he would not say eating dirt according to the common phrase; but eating their own words. It was, however, a very curious thing that just the reverse of what happened here was taking place in Ireland, for there, instead of the head of the Government being everything, he was nothing, and knew nothing of what was going on. The noble Earl at the head of the Irish government was actually in ignorance of the fact, that there was an individual holding the office of magistrate in Ireland who ought not to have held it, until a noble Friend of his, the late Lord-Lieutenant of Ireland (the Marquess of Normanby), called their Lordships' attention to the fact in Parliament; and then the immediate dismissal of that individual ensued. Here, however, the head of the Government knew everything, while his Colleagues in office were kept in ignorance. Without venturing to make any strictures upon all this, he could not help saying, that he thought it was a very curious system of carrying on the Government of the country, Perhaps there was no great evil in it, and the system might work very well; for, after all, he believed, there was not much mystery in conducting the Government of a country. It was a much more simple thing than people imagined. With one man at the head of affairs, having a certain number of clever clerks under him, the whole might be very well managed. And if this were the case, no such letter as the present need have been issued, for the difference of the salaries now paid, and those that would have to be paid to the clerks, might have amply supplied a fund to meet the present distress. The letter which he held in his hand directed the most rev. Prelate at the head of the hierarchy to issue letters to the several suffragan bishops within his province,

> "Expressly requiring them to take care that publication be made hereof on such Sunday in the present or in the ensuing month, and in such places within their respective dioceses, as the said bishops shall appoint; and that, upon this occasion, the ministers in each parish do effectually excite the parishioners into a liberal contribution, which shall be collected the week following, at their respective dwellings, by the churchwardens or overseers of the poor in each parish."

Acting on this letter, circulars had been forwarded to all the clergy in the country, exhorting them to be active in fulfilling the intentions of her most gracious Majesty. In the circular issued by the right rev. Prelate, the Bishop of London, were the following directions:—

> "You are also desired to cause the Queen's letter to be read in like manner in every place of worship belonging to the Established Church in your parish (if there be any besides the parish Church) and to communicate this letter to the minister or ministers thereof. The accompanying statement will supply authentic information in regard to the distress which prevails in the places therein mentioned, and which unhappily extends to many other populous districts similarly circumstanced. I trust, therefore, that you will feel it your duty, as a minister of Christ, to give full effect to her Majesty's gracious intentions by earnest exhortations from the pulpit, and to make known and enforce as widely and strongly as possible the claims of the sufferers on the charity of their christian brethren."

He would, with their Lordships' permission, read that statement of authentic information to the House; perhaps, by doing so, he should be enlightening her Majesty's Government upon the subject of the distress which prevailed, since they appeared to be so uninformed as to what had been done with regard to its alleviation. The noble Lord read the following statement:—

> "*Stockport.*
>
> "Stockport, in Cheshire, is one of the principal seats of the cotton manufacture, and a large portion of its population is dependent on that manufacture for support. During the last three years many failures among the mill-owners have occurred; but distress among the working people did not assume a very aggravated form until within the last eight months; since that time a large number of the manufacturing workmen, accustomed to constant industry, have been reduced by the stoppage of mills to want of employment, and to a dependence on legal or voluntary alms. Their privations have been borne by a population not accustomed to such dependence, with fortitude and resignation, and the virtues which they have exhibited under such severe trials, not less than the sufferings which they have endured, and are still enduring, entitle them to the sympathy and consideration of their fellow-countrymen. Mr. Waddington, the secretary of the relief fund in Stockport, states that in the official report upon the distress in that town, that the great majority of the distressed families have no visible means of support; that for some weeks they had subsisted by credit; that when that failed their next resource was to sell their furniture, their wearing apparel, their bed and bedding, and in many instances women had been compelled even to part with their marriage rings; and that their dwellings were found literally stripped of every article of comfort."

He subsequently proceeds to state, in reference to the district of which he acted as visitor.

> "The greater proportion of the inhabitants of that district were in as lamentable a state of destitution as it is possible to imagine; I am convinced that the relief fund has been the cause of saving hundreds in the borough from a premature grave."
>
> "*Burnley.*
>
> Severe distress prevails likewise extensively at Burnley, in Lancashire, and in the neighbouring district, owing to the same causes as the distress at Stockport. In this district less efficient assistance appears to have been afforded to the settled poor from the poor-rates, and, moreover, many destitute persons who had migrated thither from other parts of the country have been deterred from applying for parochial relief by the fear of removal in consequence of thus becoming chargeable. The funds provided by law for the relief of ordinary destitution in England, however ample they may be, can scarcely be expected to suffice in the depressed state of Stockport and Burnley, inasmuch as the resources of the ratepayers themselves are diminished in nearly the same proportion in which the demands of the working classes upon those resources are increased."
>
> "*Paisley, May*, 1842.
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> "Since the month of July in last year the labouring population of Paisley has been suffering from distress, caused by the stagnation of trade, and the consequent failure of a large number of firms in that borough. This distress continued with great severity throughout the winter, and the spring has not brought that increased demand for goods which might have been expected. Some of the more skilful weavers have indeed procured employment, but a large portion of the population still remain dependent on charity. As many as 12,000 persons have been maintained for several months from the contributions collected in England and Scotland, and even in India. The Poor-law of Scotland as now administered, confers no effectual right to relief upon men who are able to work, or upon their families; at present, therefore, the legal provision for the relief of the destitute in Scotland is not applicable to this class of persons, and even if it had been so applicable, the pressure of so large a number of men without work must soon have absorbed a considerable proportion of the property in the borough. The subscriptions raised in this country, in the county of Renfrew, in the City of Edinburgh and other parts of Scotland, are all expended. Thus no legal mode of effectually relieving this mass of destitution exists, and the charitable feelings of those connected with the place have been taxed to the utmost. It may be added that these sufferings have for the most part fallen on a class of workmen whose general earnings, even in prosperous times, are insufficient to allow of any provision for future difficulties, and that they have been borne with patience and fortitude."

He had letters in his possession from different parts of the country stating the distress which prevailed, which it would occupy their Lordships a considerable time to listen to, were he to read them. They amply corroborated the statement made by the right rev. Prelate. The noble Duke would remember that, in the course of the last Session of Parliament, he begged their Lordships to take into consideration the great distress which prevailed in the country. The noble Duke on that occasion admitted the distress, but he at the same time considered that the fears he entertained were exaggerated. The noble Duke seemed to treat the matter lightly. [The Duke of *Wellington:* Not lightly.] At all events, neither the noble Duke nor any of the noble Lords belonging to her Majesty's Government believed in the very great distress that existed, but they all appeared to be of opinion that it was merely of a temporary nature. Now he considered that the very issuing of the Queen's letter was, in itself, a sufficient proof of the permanent character of that distress. If the Government deemed it right to proclaim to the world at large that the people of this country were in such a state of destitution as to make it a matter of necessity to appeal to the voluntary contributions of the wealthier classes for relief, that of itself he considered to be ample evidence of the serious nature of the distress that prevailed. And to what was this to be attributed? He believed that it was altogether owing to bad legislation, to the restrictive and monopolizing laws which were so pertinaciously maintained. This, he conceived, ought to induce their Lordships to accede to the appointment of the committee, for which he had given notice, to inquire into the distress of the country. He should be most happy to serve on that committee with a majority of noble Lords from the Ministerial benches, or even with a committee entirely composed of noble Lords on that side of the House, because he would venture to say, that if he had the power of summoning witnesses, he should be able to prove not only the facts contained in the statement he had read to their Lordships, but facts still more appalling, and to which their Lordships' attention ought to be most seriously directed. The noble Lord concluded by moving, that an humble Address be presented to her Majesty, praying that a copy of the letter addressed by her Majesty to his Grace the Archbishop of Canterbury, for a collection in aid of the subscriptions entered into for the relief of the working classes in England and Scotland, be laid on the Table of their Lordships' House.

The Duke of *Wellington* said, that there could be no objection to the production of the letter. The noble Lord had said truly, that he had suggested to the noble Lord that he should ascertain that such a letter had been written before he moved for its production. He ought to take to himself some shame, as a Member of her Majesty's Privy Council, in not being aware that this letter had been written. But he begged to inform the noble Lord that he was present when the subject was discussed in the Privy Council, but he had since been out of town, and when he answered the noble Lord he was not aware that the letter had been sent. He did not happen to attend Divine service last Sunday in his own church, having been in the Chapel Royal, or he should have known it. He had passed the whole of Monday in a distant part of the metropolis, and though he had an opportunity of seeing and conversing with the clergyman of the parish in that part of the metropolis, he thought that if that clergyman had received any such letter at the time, he would have informed him of it. He certainly did not know yesterday that such a letter had been sent, and possibly he might have been guilty of a neglect of duty in not making inquiry. If so, he willing admitted that he was liable to all the observations which the noble Lord who moved for the letter made upon the subject. It now appeared, however, that not only had such a letter been sent, but that the noble Lord approved of the letter. The noble Lord approved of it to-day, although he did not do so on a former occasion; because the noble Lord stated on that occasion that he could not conceive any reason why such a letter had been written at this particular time. The noble Lord had referred to what had fallen from him during the last Session of Parliament. It was really surprising that the noble Lord recollected so accurately what had taken place in a debate in a former Session—that he recollected not only what was said, but the particular expressions that were used, and yet forgot the expressions which he himself had used the day before. The noble said, that he knew no reason why such a letter had been written at the present time, but the noble Lord ought to know that the letter was dated the 11th of May, and the funds collected for the relief of the distress at Paisley were exhausted on the 9th. Now, in reference to the distress, he begged to say, that he had never spoken of it lightly. The noble Lord at the close of the last Session, urged that Parliament should not be prorogued, and stated that those who advised her Majesty to prorogue Parliament at that particular time, were taking on themselves a serious responsibility. On that occasion, and in answer to the noble Lord he stated, that he did not think there was any reason to believe that there would likely be any scarcity of grain in the country for the subsistence of the people—that what they wanted was the means of purchasing grain, and that there was a want of employment, of wages, and consequently of the means of purchasing food. At that time he had also stated his belief, that if Parliament were kept sitting till that time next year, nothing could be done to give the people any increase of means to purchase grain. That was nearly the substance of what he had said; he had never talked lightly of the distress, and he recommended the noble Lord, when he chose to refer to former debates, to recollect accurately what really took place. He had no objection to the production of the letter moved for. He admitted that he felt ashamed that he did not know such a letter had been written on the 11th May, but, as he had already stated, he spent the recess out of town. On Sunday he was not at the parish church, and on Monday he was engaged in a distant part of the metropolis.

Lord *Kinnaird* said, that he had not yet made up his mind to approve of the letter. He had asked why such a letter had been issued at this particular time, because it was said that the manufacturers, who were greatly distressed during the winter, had experienced some mitigation of it since the spring set in. He was aware that the funds for the relief at Paisley were nearly exausted. He felt glad to hear the distress admitted by her Majesty's Ministers. He did not, however, see that they proposed any measures for the permanent relief of that distress.

The Marquess of *Lansdowne* was glad that his noble Friend had given the noble Duke an opportunity of stating, that this very important and very difficult question had been made the subject of discussion in the cabinet. He was glad to hear that statement, because it might otherwise have been suspected that the letter had been issued on the authority of one individual. As far as he was acquainted with the circumstances, he felt inclined to approve of the issuing of the letter. It would be very unfortunate however, if an opinion should prevail that letters of this kind were to be issued as mere matters of form, and without grave deliberation. In his opinion Government ought not to issue these letters too easily, but ought to reserve them for the most particular, solemn, and urgent occasions, the inevitable consequence of making them mere matters of form, would be to deprive them of their virtue and efficacy; and it was the duty of every Government to consider well before advising her Majesty to have recourse to such a step, because it inevitably partook, in some degree, of the objections which were applicable to Parliamentary grants, and prevented that species of individual exertion which was the best remedy for a distress merely temporary. It was with great satisfaction, therefore, that he had heard the noble Duke state that the measure had not been had recourse to, till the Government were convinced that the means of individual exertion were clearly exhausted. On that allegation, therefore, and on the allegation as to the extent of the distress, in the existence of which he had always believed, and in which the Government now believed, he thought a foundation had been laid for having recourse to a step which he would again say ought only to be had recourse to when individual exertion became exhausted. He begged to remark, that he trusted the collections would not be confined to places of worship of the Established Church, but that in all places of worship the people would be invited to come forward to relieve the distress of a large, suffering, and, let him add, of a most admirably conducted body of their fellow-country men. On these grounds he thought Government did wisely in issuing such a letter.

The Earl of *Ripon* said, that nothing could be more correct than the observations which his noble Friend had just addressed to the House. He truly stated, that the issuing of such letters was only justifiable under circumstances of a peculiar and pressing nature. As might be supposed, the Members of the Government had received during the course of the distress numerous representations of its pressure, and earnest and repeated applications for assistance in whatever way it was possible to afford it; but they had felt it to be their duty to pause and hesitate a little before issuing the letter alluded to, and he could confirm what had fallen from the noble Duke, that the subject was for a considerable time matter of most anxious and frequent deliberation on the part of Government; and that it was not until they were satisfied, not only of the state of Paisley, and the defalcation of the local means of relief, but also that distress of a similar though not of so intense a nature existed in other parts of the country; it was not till they were satisfied of this that they felt themselves justified in advising her Majesty to make that appeal to the charitable feeling of her subjects. He did not think that his not knowing that such a letter had been written was matter for serious blame—nor could he believe that the noble Lord who moved for the production of the letter, thought that blame really attached to him for that ignorance. All that the individual members of the Cabinet had to do was, to determine the point, and he saw no reason to blame himself for not knowing that the letter had been actually issued. No such letter was read at the parish church where he attended, and he could not, therefore, speak of it from his own knowledge. That was the state of the case. He could only say, that although it was perfectly true that letters of this kind have very seldom been issued, yet there had often been public subscriptions promoted by the Government, and recommended by the example of the Sovereign. Although the form of this mode of relief was not the same as that resulting from a Queen's letter, still in substance they were much alike, both being appeals to the charity of the public. He felt confident that the appeal now made would be most honourably responded to.

The Earl of *Minto* said, that on a former occasion, when a similar step was resorted to, the Government of the day released a considerable quantity of corn from bond. He wished to ask the noble Duke opposite whether the present Government had any such intention?

The Duke of *Wellington* said, that he had no knowledge of any intention on the part of Government to release any quantity of corn out of bond. It would be an illegal assumption of power on the part of Government to do so.

The Duke of *Richmond* would like to know what good the release of corn out of bond would do? What the people wanted was money not corn. It was want of employment; and any release of corn out of bond would only throw the agriculturists into the same state of distress as that in which the manufacturers now were.

Lord *Fitzgerald* said, that the paper which the noble Lord who made this motion read, accompanying the letter of the Archbishop of Canterbury, and relating to the distress which existed at Stockport and Paisley, had been duly considered by her Majesty's Ministers, and had been drawn up in accordance with their united counsel, and sent to the right rev. Prelates. He thought, therefore, that there was o want of information on the part of overnment.

The Earl of *Minto* said, that when he asked the question relating to the release of corn out of bond, he wished to know whether Government had it in contemplation to make any application to the Parliament in order to effect this legally. Notwithstanding what had fallen from the noble Duke on the cross benches, he could not but think that cheap food would be a very material part of any relief to the distressed.

Earl *Fitzwilliam* believed whatever exertions were made, however desirous the clergy might be to exert themselves in their respective parishes, he thought the sum received would be trifling compared with the object which they had in view. He doubted whether the issuing of the letter was an act of prudence and kindness, because it must be prudent as well as kind in order to work the good they intended. He would like to ask any noble Lord what he thought might be the proportion between the amount of the weekly wages paid in a large manufacturing town, and the sum which they might calculate to receive for the relief of the present distress? In a time of ordinary, not to say extravagant prosperity, the weekly wages received by the operatives of a large manufacturing town—of one containing from 50,000 to 100,000 workmen —would give an annual amount of not less than 1,000,000*l.* He doubted, therefore, whether Government had well considered how very trifling the relief must be from the source contemplated. It was all very well and very praiseworthy for persons in the locality to exert themselves for the relief of the distressed; but it was a very different question if this relief was to be made a matter for the Government. He would like to know whether Government believed the distress to be temporary? He wished an answer to that question, because he believed that it sprung from one of those fluctuations which a noble Lord at present on the other side of the Atlantic used so often to allude to. Did their Lordships believe, that the present distress was a wave of that fluctuation? Were they convinced, as he had long been, that it was nothing but an exhibition of the decline of the manufacturing interest of the country? It was important to know the views of Government on this point, because on the correctness of their view depended the wisdom, the expediency, and even the kindness, of issuing this letter. If the distress is permanent in its nature, he would venture to say that it was not consistent with true kindness to adopt a proceeding which could only be justified by a belief that the distress, though great and pressing, was nevertheless only temporary. In that case some other mode of remedying the distress ought to be adopted, and in his opinion the release of corn out of bond would do a great deal of good towards relieving the distress.

Lord *Wharncliffe* said, that he believed the distress arose in a great measure from the state in which their relations had been with America for some years past. He did not think the distress was of a permanent nature. On the contrary, he confidently looked forward for a revival of trade, and a better state of things. He agreed with the noble Lord opposite, that no great relief could be expected from the proposed collections, but when all local means of relief were exhausted he thought the last course they could pursue was to call on the wealthier classes to add their mite. When the funds from that source failed they would then have to look to other sources. They could not expect to make up to people out of work the full amount of their wages when in work; but they would at least be able to relieve them for a short time. He should be sorry to find the opinion of the House to be that the distress which had been most severe, but which at the same time had been borne with a patience beyond example, almost beyond praise, was of a permanent nature: he thought the time not far distant when a better state of things and a revival of trade would take place.

The Bishop of *London* said, that in the year 1825 great distress existed among the manufacturers, especially among those in the metropolis, and the same measure as that now proposed, in conjunction with a public subscription, was adopted for the relief of it. The result of the step was such as to place at the disposal of the committee a large sum for the relief of the distressed, and sufficient to mitigate the distress not only now but for a considerable time afterwards. One great advantage attendant upon such relief was, that it taught the lower orders that those above them were not insensible to their sufferings. He had taken an active part in visiting the distressed manufacturers in Spitalfields and Bethnal-green, and nothing could be more praiseworthy than the quiet resignation of those sufferers. He doubted not the present appeal would be most liberally responded to.

Production of the letter was ordered.

COPYRIGHT.] On the Order of the Day for going into Committee on the Copyright Bill being read,

The *Lord Chancellor* said, that on the second reading of this bill, it was understood, that the discussion would take place on the present step of the measure. He felt, therefore, called on to state shortly the grounds on which he supported this bill. From what had passed in another place, he was led to hope, that there would be no opposition offered by any of their Lordships to the passing of this bill, and he was confirmed in this hope, from the petition that had been presented on the subject. He had that night presented a petition from several persons of great eminence in the literary world, calling most earnestly on their Lordships to pass this measure; another petition from the most eminent publishers in the metropolis; and a third petition, from the printers and stationers throughout England, all in favour of this measure. From this concurrence of opinion, he thought he was justified in expecting that the measure would meet with no opposition in that House. He confessed, however, that he was greatly disappointed on finding, that it was to be opposed from a quarter from which he shou'd have expected support, and from which all opposition was formidable, even on ordinary questions, but more particularly when it was directed against a question of this nature. However, having undertaken the charge of this bill, he felt bound to call their Lordships' attention to it. It would be idle for him to do more than advert to the copyright of this country in ancient times. Everybody knew, that after the art of printing was introduced, copyright was acknowledged and recognized in various ways, not certainly by legislative provisions, but by acts of State, passed at different periods, for the purpose of enforcing the right. The first, or among the first, legislative acts on this subject was the celebrated ordinance of 1643; and every one knew, that it was passed by a House of Commons, smarting under the attacks of a press which had exposed their hypocrisy and their arbitrary principles and conduct. It was for the purpose of putting an end to this, that the licensing bill was introduced by the Government of that day. To soften the opposition to that measure, clauses were introduced for the purpose of confirming and strengthening the right of authors. But the parties who introduced them, had other objects in view, and every one knew, that those clauses did not mitigate the bitter resentment and eloquent indignation which Milton, in his celebrated attack, poured out against the measure. Therefore, the object attempted to be accomplished, in that case, entirely failed. He passed over the subsequent history of the law of copyright, for the purpose of bringing their Lordships' attention to the celebrated act of 1709, commonly called the Copyright Act, because it was upon that act, and upon the circumstances consequent upon it, that this question, as it appeared to him, mainly rested. The bill of 1709 was introduced into the other House of Parliament, by Mr. Wortley, and the object of it was declared to be the encouragement of learning. Everybody who looked at the provisions of that bill, at its recitals, and at its apparent objects, must see, that the principal object of it was the advancement of literature. It was intended, for a limited period, to impose additional penalties for the infringement of copyright. No one reading the bill, and attending to the language and to the provisions of it, could entertain a different opinion. Unfortunately, however, two or three expressions found their way into the bill, which ultimately led to a different construction. But at the time when the bill was passed, no person put that construction upon it; and it was not till many years afterwards, that it occurred to anybody to think, that it limited the right which authors had by law to a complete property in their publications. Then it was, that an action was brought, and the whole question came under the consideration of the courts of justice. He thought he should not misemploy their Lordships' time, by directing their attention in a few words to the history of the proceedings which then took place. Miller, the bookseller, had purchased the copyright of "*Thomson's Seasons.*" The period named in the act of 1709 expired, and another bookseller, named Taylor, published an edition of the "*Seasons.*" Miller brought an action in the Court of King's Bench, for the piracy, and obtained a verdict. The subject was thought of so much importance, that a special verdict was given. The question was argued most elaborately in the Court of King's Bench, and the judgment of the court pronounced by Lord Mansfield, who was at the head of it, was this—that by the common law of the country, an author had a vested and a perpetual right in his copy. Lord Mansfield said further:—

> "That the act to which he had referred, the statute of Anne, did not take away that right, and that the only object of the act was, for the limited period therein mentioned, to impose additional penalties for the infringement of the right."

That was the distinct judgment of the court as pronounced by Lord Mansfield. A writ of error was brought against the judgment, but after the lapse of a short time was abandoned. He knew that persons had said, "How is it possible that copyright can be a common law right, seeing that the art of printing was not practised until the statute law had commenced?" Persons who made use of that argument could not understand the common law, nor the grounds upon which it was founded. The common law applied itself to the varying circumstances of the times, and extended to any new species of property that sprung up, the same protection that it had afforded to property that had previously existed. Resting here, he found by the judgment of the Court of King's Bench that copyright was a common law right, or in other words that by the law of the country, unfettered by statute, an author had a perpetual right to his publication. Had any thing occurred since to call that judgment in question? A second action was brought by a person named Donaldson, against another person named Beckett, for the purpose of bringing the question into their Lordships' House for an ultimate decision. That case also went into the Court of King's Bench, but went there only for form's sake, in order that it might ultimately come before their Lordships. It did come before their Lordships, and the judges were summoned to consider it. It was most material that their Lordships should attend to the course of the proceedings that took place. Eleven judges were summoned. Lord Mansfield, being a peer, could not be summoned, and he took no part in the discussion because the writ of error was against his own judgment. This was an unfortunate circumstance, because it led to the result to which he was about to advert. The questions put by their Lordships to the judges were these: first, whether there was a common law right vested in an author to his publication? That question was decided in the affirmative by a majority of eight voices to three; so that that point, involving the main question which had been previously decided in the same way by the Court of Queen's Bench, was confirmed by the voices of the judges summoned to their Lordships' House, by a majority of eight to three. The other question which their Lordships put to the judges was this: whether the statute of Anne took away the common-law right, or whether it merely prescribed for the period mentioned, additional penalties for the infringement of copyright. The judges decided that it took away the common-law right—that it did not merely impose additional penalties. But that judgment was pronounced by a majority of only six voices to five; and if Lord Mansfield, who still retained his opinion, had expressed that opinion when the question was brought before their Lordships' House, the number of voices would have been balanced. So that the result of the whole of the legal proceedings upon the subject had been to establish this: that by the common law of the country every author had a right—an exclusive right to the publication of his works—that they were his property—that he had a right to hold them against all the world; but that an act of Parliament, intended, according to his view, and he believed, according to the view of every person who had looked carefully into its provisions—for a different object, had, from the mere accidental circumstance of the introduction of one or two ill-considered words, led to an abridgment of the author's right, and reduced it from perpetuity to a term of fourteen years, and for a second period of fourteen years contingent upon the circumstance of the author's living beyond the first period of fourteen years. When somebody at a subsequent period mentioned this act, as an act intended for the encouragement of learning, Sir Samuel Romilly said, it certainly might be intended for that purpose, but that it was an act most injurious to the interests of literature, and he then went on to point out some of the inconsistencies and absurdities of the act, alluding particularly to this fact, that it gave a greater protection to the crude productions of youth, than to the more mature and accomplished works of a riper age. Something had been done to mitigate the harshness of the act of Anne. In consequence of the observations made by the distinguished and learned individual to whom he had referred—in consequence of what had fallen from Sir Samuel Romilly, the 54th George 3rd, was introduced, extending copyright to the life of the author, and with this additional provision, that instead of fixing a first period of fourteen years, and afterwards contingent upon the life of the author, extending it to another fourteen years, it gave to the author, at all events, a clear and unconditional right of twenty-eight years. That was now the actual state of the law; and the question was, whether that state of the law should continue, and what was the object, what the purpose, what the scheme and scope of the present bill. It was not to restore the common-law right. The bill did not ask their Lordships to go that length. It merely asked them to mitigate in some degree the restrictions which had been imposed upon the common-law right, or, in other words, to mitigate in some degree the harshness of the conclusion of law by which the right of an author to the exclusive publication of his works had, to a certain extent, been taken away. To what extent did the bill ask their Lordships to mitigate the existing severity of the law? It asked for an extension of the copyright for an additional period of fourteen years; but more than that (and this was a most important part of the proposition), it asked that the interest of the author in his works should not terminate with the author's life. What could be more monstrous than such a limitation? A man possessing a revenue arising from works of great learning, of which he was the author, and in the production of which he had expended a life of labour—such a man deriving an income from the sale of his works by which he was enabled to support his family in comfort and respectability, found at the very moment of death, as soon as his eyes were closed, that the doors of his house would be forced open, his family driven from its shelter, and his effects seized by strangers and distributed amongst the public. Did he express himself too strongly, then, when he said that he appealed on that occasion with confidence to their Lordships' justice. He did not talk of authors as public benefactors, as public instructors, as a class of men to whom the public owed a debt of gratitude; he did not upon this occasion put their case upon any such foundation, he based it solely upon the broad plain principle of justice. Here was property of which a man had possessed himself by his own individual exertion—property of the most valuable and most important kind; the hour of death approached, and at that moment when the full enjoyment of the property was most important to him, because his family would be dependant upon it; at that moment the law stepped in, robbed him of all he possessed, scattered it amongst the public, and drove his family forth to starve. An extension of seven years beyond the author's death, was all that was demanded, in addition to the period prescribed by the existing law. He was quite sure he should not make the appeal for that extension to their Lordships in vain. Should they in this respect be outdone by the liberality of other nations? Or, should they not take a lesson from the civilised world upon a subject in which all the civilised world sympathised. Let them see what had been done in other countries, and whether, if instead of taking the lead as she ought to do in liberality, England was not lagging far behind those who were running the same race with herself. What was the law of France? France gives a copyright to the author, to the author's widow, and after the death of the author and the widow, a further period of twenty years' free and exclusive possession. And so far from this being thought an extravagant protection in that country, commissioners had been appointed for the purpose of reviewing the law, and of considering the propriety of extending the period of copyright. Reports favourable to the extension had been made, and no doubt a further extension would at no distant period take place. Another country distinguished in many respects for its literary productions, and for the intellectual attainments of its people, Prussia, was still more liberal. There copyright extended for the life of the author and for thirty years afterwards. The present bill asked only for seven. Russia, not producing many literary works, but having a species of magnificence in its political character, gave twenty-five years after the death of the author, and an additional ten years under particular circumstances. The only country of Europe where the law was upon the same footing as that of England, where the interest terminated with the life of the author, was Austria; and persons well acquainted with this subject—persons, whose interest stimulated their curiosity, had made this observation with respect to Austria. He did not advance the assertion upon his own authority, because he was not sufficiently informed upon the point to judge of its correctness;—but this observation had been made—that Austria, in proportion to its extent and population, had produced fewer works of learning and of original genius than any other country in Europe. He did not say, that he adopted that opinion; but if it were true, it coincided singularly with the account which Tacitus gave of the ancient Pannonians. In Spain, whose literature was formerly so charming, copyright was perpetual. So also in Denmark, so in Norway, so in Sweden. Indeed, throughout the whole of Europe, with the exception of Austria, the law of copyright was more favourable than in this country. Such was the general policy of the civilised world, founded upon observation, experience, and justice. Could they, then, in England do wrong, if, though only at an humble distance (which was all this bill asked), they followed the example set to them by their European competitors in literature? Having made these observations, he did not for a moment deny that whatever might be the right which at common law a party possessed to the productions of his genius, or to any other property that he might possess, it might be shaped, moulded, curtailed by the authority of the law. All property was, in that respect, the creature of the law; but, when a certain right existed—when it was said by the law that a certain description of property should not be placed upon the same footing as any other description of property—the onus was then thrown upon those who wished to abridge the right or alter the tenure of the property—of proving that there was a necessity for the change they proposed. Had any necessity for the restrictions imposed by the present law relating to copyright ever been proved in any of the discussions which had taken place? Far from it. No necessity had been proved, but directly the reverse. The plain principle of common sense applied to the question—the common sense principle, that the more encouragement that was given to literature the more valuable were rendered the productions of genius, and the greater the likelihood of extending their number and increasing their importance. But what was the argument by which the supporters of an extension of the copyright were met? He (the Lord Chancellor) did not like to anticipate arguments that might be urged against the measure now before the House; but he would just touch upon one or two. The first objection commonly urged upon this question, was the monopoly that the bill would give. "This is monopoly," it was said, "will you encourage monopoly?" Why every man that possessed a house was in that sense a monopolist. The house was the property, therefore he had a monopoly of it. So with the man who possessed a farm. It was his—his exclusively—he had a monopoly of it. And so should it be with respect to copyright. Was there any harm in such a monopoly? So far from it, copyright was, of all descriptions of property, the very last from which any public harm could result from the possession of monopoly, for it was a property that was of no value, unless it were communicated to the public, and the extent of its value depended upon the extent to which it was communicated. Copyright, properly and justly protected, had all the advantage of property, and none of the evils of monopoly. But there was a clause in the bill now before the House to which his attention had been directed by one of his noble and learned Friends, to which he understood great objection was to be raised. He considered it, however, an essential part of the bill. He alluded now to the fourth clause of the bill, by which what was called a retrospective operation was given to the measure. He maintained that it ought to have a retrospective operation to the extent proposed. Look at the bill which was passed two or three years ago with respect to dramatic literature. Look at the bill which his noble and learned Friend himself supported, namely, the 54th George 3rd. Both of those bills had a retrospective operation: and properly so; for this reason—what was it that was said "Here is a property which has been abridged and partially taken away by act of Parliament. What do we ask? that that act of Parliament may to a certain extent be repealed; that the abridgment may be lessened." To whom should a bill passed under such circumstances and for such an object apply? To every man who now enjoyed the property. Why should it not apply to property under these circumstances precisely in the same way as to property which should hereafter be created? "Oh!" it was said, "there is an objection to that, because the public are upon the point of enjoying this property; to-morrow the author will die, and the day after the public will step in and take possession of all that was his — the public have a vested interest in the creations of his brain or the labours of his pen." Such, in fact, was the language of the existing law. It said to the author, "your property shall not be touched during your life; but the moment you die the doors of your house shall be opened; the rabble shall be let in, your household treasures be seized and distributed amongst the multitude." Then, again, it was said, "This bill is objectionable because it will enhance the price of books." Suppose it did. He did not admit that that would be a valid reason against the bill. It enhanced the price of books; and for what purpose? For the sake of the authors. For the sake of repaying the author for his labours—for the sake of repaying the man who had created the work, and laboured to complete it. But he did not think that it would have any such effect. He had listened to all the reasons and arguments that had been urged upon the point, and, so far from coming to the conclusion, that the probable effect of the bill would be to enhance the price of books, he was inclined to think that its operation would be directly the reverse. He believed that the effect of it would be to produce a larger investment of capital in the publication of works; and wherever a larger amount of capital was invested, the cheaper was the price of the works produced. What were the instances? Nothing could be a more complete monopoly than the publication of the Bible. Yet what book, in every variety of form, was sold so cheap? Take other works: take any of the standard works of our literature at present out of print, and selling at a high price in the market. Why selling at a high price? Because nobody would venture to republish them. Every man said, "If I republish these works to-morrow, somebody else will bring out an edition the day after, and so my capital will be lost; give me indemnity, give me security, and I will lay out my capital in the republication of these works, and sell them at a comparatively cheap price to the public." In this way he believed that the effect of a bill like that now proposed, instead of enhancing the price of standard and valuable works, would be to reduce it. But, should it be otherwise, he did not admit that the enhancement of the price would be a valid argument against a measure of this nature. The individual who had created the work was not to be sacrificed for the sake of saving small sums to the public. Another objection to the bill was ingenious enough: it was said that the extension of the right was of no importance —of no value to the author, as he would get nothing for it. Let the author himself be the judge of that. But to say that an author would have no more advantage from a copyright of forty years than from a copyright of twenty-eight years, was as much as to say, that there was no distinction in the value of a property, whether held for a limited or an unlimited term. He had before said, that he did not like to anticipate arguments against the bill. He had touched slightly upon a few; there were others that he might remark upon, but he abstained from doing so. He had unfolded to their Lordships the simple outline of the case. The appeal he made was not to their favour, not to their indulgence, but to their justice. The bill asked for less than the parties were entitled to. It was a compromise, and he was sure that their Lordships would ratify that compromise without departing from any of its provisions. Considering what had occurred in another place, it was important that the bill should not change its shape or character beneath their Lordships' hands. Were that the case it would have the effect of throwing the whole subject again completely open; a consequence much to be deprecated, for the difficulty of advancing the measure to its present stage could only be known to those who had been a little behind the curtain, and who were acquainted with the obstacles which were opposed to its progress. He had made this statement for the purpose of showing their Lordships the history of the law upon this subject, the position in which the parties stood, and what he considered to be the right of the claimants under this bill—namely, a right to have justice.

Lord *Brougham* entertained, in reference to this question, a very unfeigned distrust of the opinion to which he had arrived, after the most anxious deliberation upon the whole of the important measure, partly because he came to a different conclusion from that of his noble and learned Friend upon some important particulars, but chiefly because his noble and learned Friend represented a great and most useful class of persons—he meant the authors and generally those connected with literature. He need hardly say, that he felt a deep interest in the success of this bill, or some measure of the same nature, for he went to the full length of his noble and learned Friend in all his expressions of respect, and he would add of sincere affection and attachment, towards those persons, both as individuals and as Members of that illustrious body which they adorned. He went the full length with his noble and learned Friend in all the sentiments he had expressed in their favour, and he might say, that in some respects he went further, for he regarded not merely their claims to justice, as his noble and learned Friend had put it, but their just claims to the benevolence of the House as the great benefactors of their country. But what increased his anxiety was the latter part of his noble and learned Friend's observations; for their Lordships stood in this predicament by the communication which he had just made, that they were called upon to deliberate upon a most important question, having their assent demanded to a great change in the law, as he should presently demonstrate to their Lordships; they were summoned to give their assent to a measure, which was not only prospectively to alter the present law, but which was retrospectively to alter that law, and to interfere with many, if not with all acknowledged existing copyrights, and with the vested interest of the public in published works. The House was called upon, then, to legislate upon a measure admitted to be one of great importance; but they were told, that while they were seriously to deliberate before giving their consent, yet, because, forsooth, something had passed elsewhere—because a treaty had been entered into elsewhere—because some compromise had been agreed upon—if they presumed to alter the terms of that treaty or compromise they would do so at the peril of having the measure rejected elsewhere. Now, he would tell his noble and learned Friend that he came there upon no such bargain, and was a party to no such terms. He came there to exercise his deliberate judgment, to assent if he approved, and to dissent if he disapproved, to any part of the measure. He was not bound to take it or to reject it entire, as if it were a money-bill, a measure of taxation. He was there to exercise a discriminating judgment, to admit one part of the bill, if so advised, and to reject any other that did not satisfy him. Now, if their Lordships rejected that bill, or rather, he would say, if they altered it, and the result of that alteration should be the rejection of it elsewhere, then they who so rejected it might introduce another measure, or they might take another measure from that House, and so proceed until both Houses could agree upon that which was a fit measure to be adopted. Looking at the present bill as a whole, looking to the principle of it, and to the full effect and application of what, in his judgment, was the most important part of it—those parts of it which he should be able to show were the only parts really beneficial to the country, to literature, or to literary men, those parts of the bill which were most important, and which substantially tended to promote all the great interests and objects of literature, including the interests of literary men themselves — to those parts of the bill not only did he not object but heartily assented, and considered them, so far as they went, salutary improvements in the law. Now, before proceeding to advert to the parts on which he entertained grave doubts, which doubts he felt it his bounden duty to communicate to the House, but perfectly wishing to have them removed, if they could be removed by fair argument—before stating those doubts, he would hazard a few prefatory remarks on the extraordinary course of argument which his noble and learned Friend had taken in respect to the origin of the existing law. He had said that, in the great copyright case to which he alluded, the opinions of the judges of the King's Bench in the first place, and of a large minority of the whole of the judges afterwards, when the case came to that House on appeal — held, that, independent of the statute law, there existed by the common law of this country a copyright in the author in his works. No doubt it was the fact that the law had been so laid down, first by the judges in the King's Bench, and afterwards by the opinion of a large minority of the judges in that House—five to six. The question was whether the statute of Anne had limited the common law right and their Lordships, agreeing with the majority of the judges, held that it did, and decided that the common law right of property had ceased in 1709, on the passing of the act. They had, then, the decision of that House concurring with the opinion of the majority of the judges, that for the last century and a half the common law in respect to copyright had ceased to exist. But then, said his noble and learned Friend, sixty years after the statute of Anne, this doubt arose—that the statute, having purported to be for the encouragement of literature, turned out by the decision of that House, to have been a restraint and rather a check and a discouragement than an aid. He would not stop to contend with the opinion of his noble and learned Friend upon the decision given in 1772 in the case of "Donaldson *v.* Beckett," or upon his opinion on the case of "Miller *v.* Taylor," three years before. He would not stop to argue whether the ultimate decision tended more to the encouragement of literature than the common law right, which was supposed to have existed, but not to have been established by the statute. Of this, however, he would take notice, that for nearly seventy years, with the authority of the judges of that House, of the judges of Westminster-hall, though not sufficiently established as a point of mere law, copyright was so far admitted as to justify parties in reckoning upon that right and forming their calculations accordingly, in investing their capital, in engaging in their speculations, in performing all the operations of their several employments, and in taking all their measures according to the view laid down by the highest authority in the land of the law with regard to literary property. Now, such being the case, their assumption of what their right was under the law, and the opinion of the Legislature itself upon that right, being unimpeachable and indisputable,—if that opinion were to be controverted, then it would be vain to talk of rights at all, to talk of any privileges which a portion of the public could enjoy, because upon higher ground none could rest, none could be more indefeasible. The history of the matter, then, suggested no doubt whatever as to what the law of copyright was now and had been formerly. His noble and learned Friend had said that a relaxation of what he was pleased to call the old common law was exceedingly fit, and was therefore given in the year 1814; but his noble Friend was mistaken with regard to the origin of the measure then introduced. He seemed to think that the measure was brought forward to favour authors, and that its origin was an opinion of his lamented Friend the late Sir S. Romilly, who entertained a strong opinion against the construction of the common law. But the occasion of introducing that act was this:—a claim had been made by the universities for a certain number of copies of every book published; by the old statute of Anne eleven copies were to be given to the libraries of Oxford and Cambridge Universities, and it was complained that those copies were not regularly delivered, and that there was a defect in the statute in the enforcement of the delivery: it was found that the more valuable description of books were not received, and that those books which comparatively were of little value, were alone sent to the libraries. A bill was accordingly brought in to enforce the delivery of the required number of copies of all books published, and as a sort of compensation to the author and the bookseller a change was made in the term of the copyright and the contingent right in the work, should the author survive the first fourteen years was made certain, — a further term of fourteen years was given, together with a term extending to the life of the author if he survived the twenty-eight years. That addition was made to compensate booksellers and authors for the burden cast upon them—a burden which they considered intolerable—that of having to supply eleven copies of each new work. In the evidence given by booksellers before the Parliamentary committee, they one and all held that the increase of the duration of copyright from fourteen to twenty-eight years certain, and beyond that for life, if the author survived, was no compensation at all for the burden imposed upon them, and then for the first time effectually imposed upon them, of sending eleven copies of new works to public libraries. The manner in which they gave their evidence was worthy of observation. They were asked, "Don't you think, that now you are called upon to do that which you never have been compelled to do before, we are giving you a great boon, by this increase in the duration of copyright, and will not authors benefit by it?" They one and all answered, "Oh! no; no such thing—it is of no consequence whatever; because, in ninety-nine cases out of 100," said one, "and in 199 cases out of 200," said another, "it is perfectly immaterial what becomes of copyright, for we do not look forward to fourteen years, but endeavour in the course of five, or six, or seven years at most, to regain what we have spent." "But then," it was asked, "will you not give more to an author who brings you a valuable manuscript to publish, and who has an interest of twenty-eight years certain in it, besides the contingent interest of his whole life, if he assign you his present and future interest — will you not give more than you would if he had no such interest?" They one and all answered, "No, we should give just as much in the one case as in the other; at most there would be a very trifling difference." Well, then, when they came to consider the difference between twenty-eight and forty-two years, which was the term proposed by the present bill, it would be found *à fortiori* that there was a very slight difference, if any at all, between the value of the longer period and that of the shorter. Before touching upon this point, however, he would state his views upon what he considered the most important and most beneficial parts of the measure, and in respect of which he entertained no doubt whatever; and to those parts—the great bulk of the bill—he should give his most cordial support. The great evil under which publishers and authors now laboured was not the limited extent of the copyright—not the inadequacy of the twenty-eight years which the law now secured to the author, with a further term during his life if he lived beyond the twenty-eight years—but the great evil under which both publisher and author now laboured was—first, the defective state of the law in respect to works of great value, great and general usefulness, and of great importance to the public; and next, the piracies committed both by printers at home, and more extensively by printers and publishers in foreign countries. First, then, with regard to that important class of works called Encyclopædias, what was the present state of the law? A work, let it be supposed, is published, and has been in course of publication for twenty or twenty-five years,—he would take as an example, although there were many others, but because he happened to know something about it, from having just read the history of it, that great work published under the superintendence of a learned and able professor in the Edinburgh University, (Professor Napier) which had been in course of compilation and publication for, he believed he might say, thirty-five or forty years, and was now happily brought to a close, forming, without any exception whatever—without even excepting the celebrated French Encyclopædia, edited by D'Alembert—a compilation than which none had ever been prepared by the union of the most celebrated literary names of the age they adorned, more complete, or more excellent than the great compilation he referred to—a compilation in which it would not be easy to find a single illustrious name in science or literature, of this country or of France, which was not enrolled among its active contributors, — a work, too, upon which vast sums of money had been expended in its printing,—engraving,—and publishing departments, and large amounts, never larger, perhaps, in purchasing a copyright of the several articles which it contained, — even that work than which none more deserved the encouragement of Parliament, under the existing law, was not protected; neither the authors themselves had any right of copy, nor had the owner of the work, nor the publisher, nor the editor, a legal right in that copy—a right which he could maintain by action against any party who might choose to pirate it. It was needless to add, that the particular work he had mentioned, in fact, protected itself, for on account of its great size and price, no person would take upon himself to print and publish the entire compilation, but the papers of every one of the eminent contributors, including the names of Professors Stewart, Playfair, Arago, and all the other literary and scientific names which adorned that publication, might be absolutely pirated, and dishonestly appropriated by other persons with perfect impunity, for there was no assignment of copyright to the publisher by any legal instrument. The author sent in his paper and received payment for it, and so far the right of property must pass from one to another, and it undoubtedly became invested in the publisher, but not in such a manner as to protect him from pirates, or enable him to support his right by an action at law. He felt that he need only state so much to show, that magazines, that reviews, and that dictionaries had been left by the law in a state wholly defenceless; but now the measure before their Lordships would, he sincerely hoped, afford to these classes of publications all the protection which such a measure could be expected to impart. The professed object of the bill was one which he hoped its provisions might be found eventually to realise. His object was to protect publishers and authors against piracy. He hoped he might be allowed to claim some small portion of their Lordships' attention, while he attempted to examine the provisions by which these objects were to be attained. The majority of works of imagination were usually published at a retail price of a guinea, or a guinea and a half; and when he spoke of works of imagination, he wished not to be understood as expressing himself in any terms of disparagement, or as wanting in any feeling of respect for such works or their authors. It was not because a book might be the work of imagination that it was therefore less meritorious or less useful than one which came forth with loftier pretensions or more high sounding designations. Works of imagination, as he need not remind their Lordships, tended as much as any other production of the human mind, to expand the views, improve the sentiments, harmonise the feelings, and even exalt the morals of a nation, softening our stubborn nature, nor suffering it to be fierce and wild. But yet the poets and the novelists of Great Britain enjoyed not that protection, to which they possessed a just claim, and which he hoped, however tardily, and however imperfectly, the bill then before their Lordships might be expected to give them. What was the position of those men with reference to the literary piracy of the continent? It was just this: the moment a popular work appeared in this country, one which was at all likely to yield a harvest to the continental publisher, it was instantly brought out in the cheapest possible form, to the manifest injury of those who could alone be considered as having any property in its contents. A work that in this country sold for a guinea and a-half was immediately reprinted on the continent and sold at prices, varying from 3*s*. or 4*s*. to 1*s*. 6*d*. He need scarcely remind their Lordships, that practices such as these at once ran away with the profits of the bookseller, and precluded the possibility of a fair remuneration to the author. What was the natural consequence of such a state of things? The next time the bookseller had a bargain to drive for any literary production, he recollected the manner in which his rights had been infringed by the continental publisher; he took the circumstances of his former losses into full consideration; calculated with as much exactness as he could the probable effect of a repetition of the encroachment; made due allowance for the absence of protection under which literary property in this country laboured; and paid the author little in proportion. By the existing state of the law, no one in this country gained a farthing. The author and the publisher were victims to a dishonest practice. He did not like to use harsh terms, but he protested his inability to apply to it any other than that of dishonesty, and he was sure their Lordships would agree with him in thinking that it was the appropriate term, when they recollected the undoubted rights of individuals, and the injury which those practices inflicted on them. Now, whatever he might think of other portions of the measure, he wished before he proceeded further to declare, that he heartily approved of that portion of it which was framed for the purpose of throwing impediments in the way of those continental publishers who paid so little regard to the just rights of the English author or bookseller. He fully assented to the position, that it was necessary to produce a strong measure for the purpose of putting a stop to these infringements upon the undoubted rights of property, and he entertained a confident belief, that the protection to be derived from this bill would be a real benefit both to literary men and to publishers of all classes. To the other parts of the bill he was not prepared to give such unqualified approbation. The great feature of the measure, apart from those to which he had just been adverting, was this—that whereas heretofore the rights of authors were limited to twenty-eight years, the bill proposed to extend copyrights to forty-two years. Now, he begged to claim the attention of the House while he directed his observations to this portion of the bill. Suppose he desired to contrast the existing state of the law with that which it was proposed by the bill to introduce; an author would come to a publisher, offer him a valuable manuscript, and inquire upon what terms he would purchase it, assuming that the author possessed by law the power of assigning a vested interest therein for a period of twenty-eight years. In how many cases would the bookseller say that was not enough? In how many cases would he say that he required fourteen years more, and seven years beyond those fourteen, in case the author should so long survive? From the evidence laid before the Parliamentary committees, he believed there was no publisher would ever think of attaching the smallest appreciable value to any period extending beyond fourteen years, still less beyond twenty-eight, and, least of all, beyond such a period as forty-two years. In order to illustrate this position he would put a case to their Lordships—he would suppose that a book was published which yielded yearly and every year a clear, free, net, certain profit of 100*l.*, after paying all expenses, and that the owner of the copyright of such a book could reckon upon his 100*l.* per year with as much certainty as if it were a Government annuity. Now, he wished to put this case as strongly as possible, and he thought he had succeeded in putting a pretty strong case, one that hardly ever could happen, and therefore the less favourable to his argument. The House, he hoped, would recollect that in putting this case he had said not one word about the numerous risks to which every species of literary publication was necessarily exposed. He said nothing of competition, nothing about changes of fashion, nothing about the new subjects which might press upon the attention of the reading portion of the public, nothing as to the gloss of novelty, which while it lasted had great power, but which departed with rapidity proportioned to its temporary influence. He need hardly, then, remind the House that he had put a case the least favourable to the position for which he was contending—that, in short, nothing was less like the fact than the case which he had put—nothing could be more improbable, than that any modern publication should yield a steady and unvarying profit for such a period as forty-two years; it was a sort of thing which could not happen except in those rare instances for which no law giver could be reasonably expected to provide. But for argument's sake, he was prepared to admit as fully as any one could possibly desire, the position of an assured profit of 100*l.* a-year with all the certainty of a Government annuity; and now the question resolved itself into this,—what was the difference between the present value of the 100*l.* income for twenty-eight years and its present value for forty-two years? It was a question for an actuary; he had taken the trouble of having it solved, and the answer to his question was this,—that the value of the 100*l.* a-year for twenty-eight years was 730*l.*, and the value of the same income for forty-two years was 781*l.*, leaving a difference of 51*l.* How much would a bookseller give for that 51*l.*, which was the value at 10 per cent? But why should he talk of 10 per cent. when no bookseller was content with that; 15 per cent. was not too great a profit to be taken as one of the elements of such a calculation; what then would a bookseller give for a chance of a profit to be enjoyed after a lapse of twenty-eight years? Would he give 51*l.*? No, not 51 farthings; no, nor the smallest fraction of a farthing. He would say, "I will give nothing for such a contingency. I shall be content with moderate profits, provided I can secure good returns; I want to get back my expense within a short time; I am a bookseller, and not a dealer in reversions; and the fact is, that whatever I might give for the assignment for twenty-eight years' interest, I should not give one-halfpenny more for forty-two years." Such, he maintained, would be the language of a bookseller on a question of relative value between the period of copyright enjoyed under the existing law and that which it was proposed to give under the new measure. But his noble and learned Friend might say that this was a mere matter of calculation; to that his reply would be, that it rested not merely on calculation, but that it was supported by evidence. Such an observation from him would probably be met on the other side by the statement that the forty-two years was part of the compromise, and that it was also a part of the compromise that no witnesses should be examined. It was resolved that they should not get into a committee. It was resolved that there should be no inquiry, for if they were to have an inquiry for everything to come out, it would then appear that publishers had for some time past been making large preparations, and had been incurring great expense, for the purpose of bringing out works the copyrights of which were just on the point of expiring; and as the retrospective measure then before their Lordships would preclude the publication of such works, it was thought the most prudent course to avoid any investigation, as they were resolved to frustrate the hopes of those publishers by the compromise to which he had been referring; the natural cry, therefore, was, "Don't let there be any examination of witnesses." It was not so in 1814. On that occasion publishers, and others concerned in publication, gave evidence before a committee, and a worthy Baronet, a Member of the other House, who was himself an amateur of letters, took an active part in the proceedings and professed himself content with the lesser period of fourteen years. The works of that worthy Baronet himself, which enjoyed a considerable popularity for three or four years, were now believed to be as unknown as if they never existed. That worthy Baronet, he meant Sir Egerton Brydges, who had contributed in his day to the literature of the country, was content with fourteen years, and might have been content with a still shorter period, for the copyright of his works was of no value in a very few years after their publication. When Sir E. Brydges introduced his bill in 1818, it was said, fairly enough, that if they then proceeded with the measure they would be legislating in the dark; a committee was therefore appointed, evidence was taken, and the result of that evidence being unfavourable to the bill, it was dropped. In arguing, however, against the extension of the period of forty-two years, he was not adverse to extending a copyright to a period of seven years after the death of the author. The position which he maintained was this,—that the forty-two years' copyright might prove disadvantageous to the public, while the difference between it and twenty-eight years was of no value to the author, because he held it to be demonstrable that a bookseller would give just as much for one as for the other. His noble and learned Friend might, perhaps, as he had already observed, suppose that these statements were mere assumptions. What if the evidence proceeded from Mr. Longman? What if Mr. Murray was one of the witnesses? And yet at the same time what would the House say if those two gentlemen were presented to them as individuals having petitioned for the present bill? What would be said if their names stood at the very head of the petition for such a measure? They were said to be in favour of this bill, because, as his noble and learned Friend had said, it was an encouragement to authors, because the additional term tended to encourage learned men in the execution of their works; not, said his noble and learned Friend, as a favour to authors, the benefactors of their race, but as an act of pure, strict justice to them; relaxing the bad law of the 8th of Anne, and the worse construction put upon it by the decision of their Lordships' House, and restoring the law to what it ought to be; not for the encouragement of booksellers and publishers, but of literary men. Those were the persons who stated in 1814 and 1818, that the increase from fourteen to twenty-eight years could, by no possibility, add the fraction of a farthing to the sum they would give an author for his copyright, and, consequently, such extension could not operate in the slightest degree, as an encouragement to literary men. From the evidence of these two respected individuals as contrasted with the petition presented on the subject of this bill, he was drawn to the inevitable conclusion, that the part of the bill which they petitioned for, was not that which increased the term of copyright from twenty-eight to forty-two years, and of the propriety of which he entertained grave doubts; but those other parts of the measure to which he had before alluded, in regard to encyclopædias and the preventing of piracies, and particularly of foreign piracies. Those were great and salutary improvements, affecting not only the owners of copyright but authors themselves. The petition, indeed, was generally in favour of the bill, but the part of the bill which they really approved of, must needs be the part to which he had now adverted, and to which he gave with all his heart a ready and cheerful support. He had already adverted to the compromise which was come to in 1814, touching the claims of the universities and public libraries to eleven copies. By the 54th of George 3rd, passed in that year, the eleven copies were, as the House knew, reduced in number; but it was not merely in 1814, that an important change took place in the law of copyright. The 41st of George 3rd, passed in the year 1801, had for its object to prevent Irish piracy. The moment a popular production made its appearance in England, it was, before the beginning of the present century, immediatley printed in Ireland. They were, certainly, very incorrect editions, full of blunders; and though no other blunderings might be found in that country, it must be acknowledged, that the pirated editions of English works were full of blunders. That, however, was put an end to by the act of 1801; that was a great boon; it was a great act of justice to put an end to Irish piracy. There was a further change in the year 1836; the eleven copies were reduced to five. Sion College, the four Scottish universities, and the society of King's Inns, Dublin, were no longer to receive copies of newly-published works. That was a great relief given to publishers and authors, and it was a relief granted to them without demanding any compensation on their part and without any consideration from them. In 1814, on account of the burden of these eleven copies, they received an extended term of copyright; but afterwards when more than half that burden was removed, no diminution of the term took place. Yet the transaction was not effected without compensation somewhere, for those six libraries received compensation from the public—not at the expense of authors or publishers, but out of the consolidated fund—for the loss of their copies, the burden of which was, by that measure, taken from the shoulders of the publishers and authors. He had already stated he had grave doubts of the propriety of extending the term. He should have less objection to continue a term of seven years after the author's death than he had to its continuation for the extended period of fourteen years. He had stated his reasons for that objection, and he was now about to ask whether or not injury was likely to arise to the public from thus extending the period. He certainly could not affect to say that he considered that question as free from doubt. According to reasonable calculation, it might be said that somewhere about 499 out of every 500 works were wholly unconcerned in and unaffected by the question whether the term should be twenty-eight or forty-two years. Not above one or two in 500 works survived to a period at which they could be affected by it. Then, it might be said, why should you legislate with respect to the whole 500, for the sake of the one excepted instance—why extend the term in all cases, because it did happen, in some rare instances, that the extension of the term would affect a work of celebrity? It might, also, be asked, on the other hand, what harm could be done by so legislating, because if 499 works out of every 500 were positively dead at the end of that period, or long before, it did not signify, with respect to them, whether the monopoly be continued or taken away? But, then, there came this consideration; many works might not be of sufficient value to command a sale at the copyright price though, if printed and sold in a cheap form, they might form useful publications. Now, if the copyright was to continue for forty-two years, and a person desirous of publishing a cheap edition of a work which had no sale at a high price, was to go to the owner of the copyright, and ask permission to do so, the almost inevitable answer would be a refusal, or the demand of such a consideration as would leave no chance of a profit on the undertaking. If a book was extremely popular, there would be no want of cheap editions even under the monopoly; that he was ready to admit, though he could not go so far as his noble and learned Friend, who said, that there would be cheaper editions under the monopoly, than if the monopoly was done away with. He used the word "monopoly," though he objected to it as inapplicable, but it was the term the law gave to it, and all the leaning s ofthe law, and all the decisions of the courts treated the copyright of a book as a monopoly. But that it was only necessary to secure the monopoly, according to his noble and learned Friend, in order to secure the abundance of cheap editions, was the most extraordinary argument, that he (Lord Brougham) ever heard adduced in support of a desperate case. The Bible had been quoted as an instance in support of the argument; but the instance did not apply, for in the publication of the Bible, profit was not the object kept in view; extreme correctness was the main object. Whole bodies of the community, too, were interested in the dissemination of the sacred Scriptures, and there was a material difference between a book that was or ought to be in every man's hands—a book, of which the readers were not counted by thousands, or by hundreds of thousands, but by millions—there was all the difference in the world between the rules that governed such a book, and those which applied to any other work, that could be mentioned. The price of bibles, too, had fallen exceedingly in England, ever since the Scotch monopoly had ceased. Of ordinary works, the circulation must be diminished, and the price increased, by an extension of copyright from twenty-eight to forty-two years, and the publication of a considerable number of useful works at a cheap rate, would be inevitably prevented. The person possessed of a copyright would seldom be disposed to publish at a cheap rate, and publishers had repeatedly been asked to allow the printing of cheap editions of books of which they held the copyright, and had always refused, or had required such a consideration as was tantamount to a refusal, and that even when they had not themselves any sale for the books in question, and would not themselves publish cheap editions. The last point to which his noble and learned Friend had adverted, was the retrospective clause. There were several copyrights now about to expire, and the public, as the law now stood, was about to become possessed of them. As the law now stood, every man had a right to make preparations for the publication of those works, and to expend large sums in making those preparations upon the faith of the existing law; but now, at the eleventh hour, Parliament stepped in and said fourteen years shall at once be added to the term of the monopoly. Was that fair? Was that the usage which Parliament generally adopted in such cases? Had such a system ever been acted upon before? That the 54th of George 4th was no instance in point, he had already shown. That statute was passed for the benefit of the public, and in consideration of the burden imposed upon publishers, an extension of copyright was given. It could hardly, however, be called an extension, since it only converted a contingency into a certainty. In the present instance, it was proposed to effect a change in the rights of the people, without any corresponding advantage. It was proposed to abstract one man's rights, and to give them to another—to make them over to one who had given no consideration for them, and to take them from one who was in possession of what Parliament had no right to deprive him of. There were several copyrights now about to expire. One copyright was so near its end, that it would probably expire the day after this bill became law. Suppose a man had expended 600*l.* or 800*l.*, and he (Lord Brougham) could show that as much as 5,000*l.* had been expended in the expectation of the expiration of copyrights. A man was perfectly justified in making such preparations, and might already have filled his warehouses with the intended publications. He (Lord Brougham) knew that to a certain degree the fact was as he stated, but the bare possibility ought to deter their Lordships from taking the proposed course. The law had encouraged men to enter upon certain speculations, had encouraged them to invest their capital in those speculations, and was it for their Lordships to step in and ruin those men by a sudden change of the law? Was the House prepared to tell such publishers, that they had reckoned without their host, and that it was all their own fault? He could not allow himself to believe that

Parliament would hold such language to parties so circumstanced. He knew he might be told, that there were four or five illustrious men, great poets, still living, whose works had been for many years before the public, to the copyright of which continued protection ought to be extended, and who would derive great advantage from the present bill. Without admitting the argument, he could not abstain from expressing his admiration of their genius, and his gratitude for the benefits they had conferred upon mankind. For their sakes he (Lord Brougham) wished that instead of this illegitimate advantage, it were in his power to give them a more lawful protection; it gave him pain to say anything that looked like grudging them any portion of the benefit that this bill would give them; he looked on those poets not merely as authors of works which amused, and delighted the imagination, as promoters of the innocent indulgencies of life, but rather as the great encouragers of the virtues, and the guides of the best feelings of the human heart; they were worthy of all acceptation; he only abstained from naming them, lest it should seem, that dazzled by the lustre of the present day, he was blind to the glories that had passed away. These are among the greatest of our race,—the *pii vates et Phœbo digna locuti*,—to them be offered all honour, their just due. But there are other benefactors, and how do we treat them? Men whose services to their country and their kind, cannot well be overrated, and never can be repaid — the masters of science and of science made practically useful—

"Inventas aut qui vitam excoluere per artes;"

those who have both adorned human life, and made it yield that rich harvest of all that exalts our nature, and all that is valuable to our use, which meets the eye whithersoever it points. Turn for a moment from the great master of song, him who passed the bounds of time and space — *flammantia mœnia mundi* — towards him who has enabled us to overleap the obstacles which time and space interpose to our projects, increasing our power far more than if cubits had been added to our stature, stemming the tides, scorning the currents, if not chaining the winds yet defying their changes, transporting as by magic the most fleeting products of distant plains to the heart of crowded cities—approaching the innermost recesses of a vast continent to its coasts, and making it no longer a mere figure of speech, but almost a literal fact, that the stroke of the axe which for the first time breaks the silence of the Indian forest is echoed by the anvils it makes to ring, and the shuttles it sets in motion all over the crowded surface of Warwick, and Lancaster, and York. These every day miracles of human skill and power, how were they first wrought and how rewarded? It was not chance—not a happy thought successfully pursued—but the long-continued effort of original genius, profound science, unwearied industry, perseverance which no difficulties, no disappointments could subdue or relax, crowned with triumphant and deserved success, that enabled him to effect the greatest moral revolution to which our globe has been subject since the invention of printing. But how have such men been rewarded? Honours they achieve for themselves. They gain an imperishable renown, the lustre of which the smiles of a prince can no more brighten than his frowns can dim,—honours which a court could no more confer than it could improve their inventions. But how are they recompensed? What reward had the country given to such men? To Newcomen and Worcester, and greatest of them all, to Watt? What reward did the law as it now stood, hold out for the encouragement of such inventors; and no one thought, no one dreamt, no one dared to alter that law. Even their honours were all of their own achievement. In one instance, that of Watt, by a rare union of the sovereign and of the principal Members of both Houses of Parliament, a statue was erected, and he (Lord Brougham) could never be sufficiently grateful to those who on that occasion had deputed him to give expression to their feelings upon the marble which the genius of Chantry had softened into life. But no honours were decreed to others whose claims ought not to have been disregarded. Their dust had been allowed to mingle with the ashes of famous men; but less illustrious than themselves, the kings who had ruled, the warriors who had defended, and the statesmen who had governed the realm. But what reward had these men received in their lifetime—and reward was the question now under consideration? The House was engaged upon the matter of profit and loss. They were about to make literary men independent in their worldly circumstances. But being concerned in that task could he shut his eyes to the fact that were it not for that wonderful machine, to the inventors of which he had just been rendering homage, the property of literary men themselves would not be of the value which it was acknowledged to possess—that wonderful engine which had effected an almost physical revolution in the world? And yet fourteen years' patent right was all the benefit which their authors derived from these great discoveries—discoveries which were hardly surpassed by that of printing itself, inventions which rivalled that of Guttemberg, of Faust, or of Schoeffer. Nay, if they, as well as Watt, were now for the first time to unfold their divine art, fourteen years of patent right would be the utmost extent of their protection. Moved by these considerations, he had some years ago, with the utmost diffidence, proposed to Parliament a law extending the period, and vesting in the Judicial Committee of the Privy Council, a discretionary power to enlarge the protection of patent right according to circumstances, provided a case were made out to satisfy them as judges. But the bill now before their Lordships was a very different sort of measure from that which he had proposed for the benefit of inventors. He proposed a discretionary extension of seven years beyond the original fourteen, but the bill now before their Lordships was not an extension from fourteen years to twenty-one, but an extension from twenty-eight to forty-two years, and to seven years after the forty-two, provided the author lived so long. At all events, he would say, let there be some sort of equality between men of science and men of letters. He would say, let the rights of the two classes be equal, although he might not be prepared to maintain that there ought to be a general patent right for a term so long as forty-two years. He must apologize for having stated these opinions, which, he much feared, ran counter to the sentiments of those whom he then addressed. Many had been led away by a generous and natural and praiseworthy feeling; they had leaned to the side towards which they must all wish to lean, and towards which all their prejudices and partialities must naturally bear them. They had, however, listened too much to those feelings, and had attended but too little to the strict duties of their legislative office.

Lord *Lyttelton* said, he should have preferred a bill on the basis of the present bill as it was first introduced into the House of Commons, though he thought the term now proposed was too short, as he also thought the term proposed by the eloquent and learned Gentleman who first brought forward the measure too long. He certainly thought that the argument of copyright being an absolute right was not a question to be easily considered in the abstract. Mr. M'Culloch, in his article on this subject, spoke of the inconvenience of that absolute right, and he did not know that amongst those who were for a limited term of copyright, that that question had been met except by Mr. Justice Blackstone, who said only a few words on the subject. That learned commentator seemed to consider the right of property in books as something so subtile and unsubstantial, that it could not be dealt with as other kinds of property. Mr. Serjeant Talfourd seemed to say, that a book was as much property as land, or any other kind of property. But the only way in which the argument was met, was by the opinion come to upon that other class of property which seemed to him more nearly in analogy to this subject, and one which he would wish to see supported if this perpetual copyright comes to be dealt with, and that was the analogy to common patent rights. He entirely agreed with the noble and learned Lord in his position on that point. He could not see any difference of principle between the two in kind. He could not see in what way the inventor of a discovery had not the same interest in it as the composer of a book; and authors who had supported that principle had somewhat omitted to deal with that analogy of patent rights. Mr. Christie, in his pamphlet, omitted it altogether. In one of the speeches of Mr. Serjeant Talfourd on this subject, that learned Gentleman, in the first place, merely argued that it would be impossible to deal in the same way with patents as with copyrights—his words were, that it would be highly inconvenient—but the learned Gentlemen further said, the fallacy consisted in this, that while there was a patent of fourteen years for the benefit of a discovery, the copyright was not the same, for when it was published, it was free for ever. Now, he could not understand why a patent for a discovery could be said to secure the entire benefit to the inventor, while the copyright did not. The former did not secure the entire benefit, for improvements might be learnt from it, which would depreciate its value. He could not, therefore, see the difference in kind. In the debates in Parliament on this subject, he did not know that any person had touched upon this argument. His noble Friend, the late Chancellor of the Exchequer, said he should like to know where the analogy was between the two; but in his opinion, the argument ought to have been to show where the analogy was not. The difference of degree seemed to be perfectly obvious, and one single argument was sufficient for the purpose,—namely, that in most cases, the benefit of mechanical discoveries would almost certainly be immediately found, whilst in—he would not say many—but very important cases, the value of a book was not discovered for many years afterwards. He would only add, that there were cases in which great hardship and injustice lay on authors at the present time, and he was satisfied, that a considerable prolongation was desirable; but he was not altogether contented with the present bill. Upon these grounds, however, he should vote for the main provisions of it.

The Bishop of *London* said, that one or two of the arguments of the noble and learned Lord opposite appeared to him to be fallacious. With respect to one he most candidly acknowledged that it had produced some effect on his own mind, and that he was somewhat perplexed to know how it could be answered. The first point was with respect to the analogy that was conceived to exist between the patent right of inventions and the copyright of literary works. At first, he must admit, that he was somewhat staggered, but on a little consideration, he saw the difference between them in its true light. The period for which a person who took out a patent, secured to himself the undivided sale of the invention for fourteen years, he conceived to be fixed on this ground—that that invention related to the ordinary use of human life, and that whatever related to the ordinary use of human life, if it would answer the purpose for which it was intended, was sure to find such success that in less than fourteen years the inventor would be amply remunerated. In some cases, however, an extension had been applied for. Sir R. Arkwright went to Parliament for an extension of the term of fourteen years, and in consideration of the circumstances it was granted, but long before the expiration of that time, he was amply remunerated. The noble and learned Lord, when he adverted to the case of the steam-engine, the effects of which he had enlarged upon with such glowing eulogism, said, that the term of fourteen years after such invention was completed, would be sufficient. But it was not so with respect to the productions of the intellectual world, for such was the constitution of the human mind, that it was eager to grasp at those things which related to the ordinary comforts of life, but was slow to comprehend those which related to intellectual improvement. It frequently happened, that the deepest philosophy was clothed in the beauties of poetry, and the very circumstance of the attention of mind that was requisite to pierce through the apparent gloom which overhung those beauties, was one of the reasons which prevented the due appreciation of the author. The effort must be, that of an educated mind, and years might elapse before the public mind became alive to the intrinsic merits of such works. There was one such poet to whom he would not allude further; but the noble and learned Lord would recollect other instances. A quarter of a century might pass away before the productions of such persons might be duly appreciated. Now, then, he came to another argument of the noble and learned Lord, an argument which he founded on the facts, that certain parties having already invested capital for the printing of new editions of works, the copyright of which was about to expire. But it was that very time that persons had expended 2,000*l.* or 3,000*l.* for such purpose that afforded a proof of the necessity of interposing some protection to authors. It might often happen, that the real value of a work was denied at first, and that it was not until the copyright was about to expire that its value was appreciated; and how hard it was, that then the publisher should step in, when the work was becoming valuable to the author, or his heirs and executors, and take away the profits it produced. This led him to touch upon what he considered the fallacy of another of the noble and learned Lord's arguments, with respect to the great difference between the present copyright of twenty-eight years, and one extending to forty-two years. The noble and learned Lord argued, as though the work that was now worth 100*l.*, would be worth no more twenty years hence—as though the value was always the same. But the essence of the argument was, that the value of standard works was slow to be appreciated, and that the time when it was appreciated, was the time when protection was required by the author. Would not the publisher, who was now disposed to purchase the copyright of twenty-eight years, be more pleased after the lapse of some years, when the work began to return a profit, to possess it for a longer than a shorter period? With respect to cheap works that were published, and which contained a great deal of what was useless, or worse than useless, he would leave them to their fate; if they contained anything useful, their value would be properly appreciated, but it was with respect to works of a deeper character, that he was anxious to protect authors. It was with respect to these works, the merits of which gradually stole upon the public mind, and arose, as it were from the clouds of ignorance that enveloped them to shine in their meridian splendour, so that at last, perhaps, an author might see his merits recognised by a reluctant public, and find himself in the enjoyment of that compensation of which he had been at first deprived. Unless their Lordships passed some such measure as this, an author would have no security to enjoy in his own person, or that his family would enjoy after him, that compensation, and he would be driven to the hasty compilation of inferior works or reviews, which would produce a speedy return of money, whilst the return in reputation would be little or nothing. It mattered little whether the term was for fourteen or twenty-eight years, but it was for those authors whose works were, as the noble and learned Lord said, the benefactors of mankind, that this measure was sought, and which he hoped their Lordships would agree to.

Lord *Cottenham* thought this question ought to be discussed, like all other questions, simply with respect to the public interest. The rights of authors had, for more than a century, been protected; but the interests of the public, which comprised the interests of literature, and in that the interests of authors, was undoubtedly a subject that ought to occupy their Lordships' attention before they came to a decision on the present bill. He very much doubted whether the addition of fourteen years to twenty-eight would materially increase the pecuniary emoluments of the author. As the author, however, imagined that his interest was deeply concerned in this measure he was willing to concede to his wishes, feeling convinced that the interest of the author and the interest of the public were closely connected. In considering this bill they were bound not only to look at the principle upon which it was based, but also to examine the different clauses of which it was composed. He would direct their Lordships' attention for a few moments to the 4th clause, which proposed to extend the term of copyright to works published prior to the passing of the act. He thought this clause would operate most injuriously to the public. Previous acts of Parliament had prescribed what the authors, as well as the public, were entitled to. Works were written and published with a full knowledge of the law relating to copyright. The author certainly could not complain of being treated unfairly; but by the 4th clause it was proposed to take away from the public an interest in which they had a legal right, and it gave the author an extended term of copyright in books published before this act was proposed for the adoption of Parliament. He hoped their Lordships would see the necessity of altering this clause. He did not see the justice of deviating from an act of Parliament a century old, the principle of which had for so many years been recognised and acted upon. He would refer their Lordships to another clause in the bill which had a relation to pirated copies of English works. If any work in which there existed a copyright in this country should be printed abroad, and afterwards exposed for sale here — it was immaterial when it was printed in this country—if any such work was found in a bookseller's shop, what was the penalty? He was sure their Lordships who had not read the clause would be astonished to hear the stringent nature of the penalty. Supposing an edition of Shakspeare published in New York, and afterwards found in any bookseller's shop in this country, what course was to be pursued? An exciseman was allowed to enter the shop and destroy the work, for doing of which he was to be rewarded with 5*l.* First, he was at liberty to destroy the work, and then was to receive 5*l.* for his trouble. This clause was in a bill which was introduced for the purpose of protecting the copyright of works? He would direct the attention of their Lordships to the 25th clause. He thought their Lordships were personally interested in the clause to which he was about to refer. It related to the penalty to be enforced in case any English work printed abroad should be found in the possession of any person in this country. Should any of their Lordships have any such work in his library, application might be made to a justice of the peace, and any Member of their Lordship's House was liable to be summoned before them. On its being proved that the book was entered upon the registry, the justice of the peace was empowered to issue a warrant for the seizure of such copies, and they then ceased to be the property of the owner, and became the property of the registered copyright owner, who after all, might not have a claim to it. He trusted that this clause would not be allowed to remain. He was prepared to give his sanction to the general principle of the bill, but he hoped that before it was allowed to pass, it would undergo material alterations.

Lord *Campbell* said, that their Lordships should recollect, that they were now only discussing the principle, and not the details of the bill; and to that principle, he was prepared to give his cordial concurrence. Notwithstanding the eloquent speech of his noble and learned Friend (Lord Brougham) he had not heard any answer given to what had been urged in support of this measure by his noble and learned Friend on the Woolsack. What he regarded as the principle of this bill was, the extension to authors of the term of their copyright, and, above all, giving to their families a period after their death, during which they might reap the reward of the genius and the labours of those whom they had lost. It was his belief, that the author had a clear right to the copyright of the works he wrote. That was undeniable; it was a principle which ought to be kept in view in legislating on the subject. It appeared to him, after having given the subject a good deal of consideration, that, independently of any act of Parliament, the author had a natural and equitable right in the productions of his intellect. He admitted, that a perpetuity of copyright would be a monopoly, but, when legislating on the subject, what they had to consider, was to what extent could they allow the property of an author in his works to be continued, without prejudice to the public? All other nations had given a longer term of copyright to authors than that proposed by this bill. We were pre-eminent in literature and science, but we were not pre-eminent above France and Germany, in our knowledge of what was the proper encouragement which it was wise to allow to authors and those whose labours were beneficial to mankind. Looking to the legislation that had taken place on this subject, they had gone on extending the term of copyright from time to time, and this measure proposed a still further extension. It was absolutely necessary, as a protection to the families of authors, that the existing term of copyright should be somewhat further extended. An additional term of seven years was all that was asked, and he certainly thought that a most moderate demand. He did not think this could be considered a measure of favour or indulgence, but a measure of justice to authors. Many of those distinguished men who had been alluded to—Wordsworth, and Campbell, and other illustrious men—who were the ornament of their times, were relieved by the present law to a certain extent, but why not give them the full benefit of the measure now proposed? It was pretty well known, that booksellers would speculate on the termination of the copyrights of these men, and he was sure, that his noble and learned Friend would execrate any such speculation as that, and would do nothing to encourage it. He believed, that the copyright of some of the works of the great author of the Waverley novels was about to terminate, and, without the assistance of this bill, it was doubtful whether the descendants of that illustrious man could continue to inhabit Abbotsford —that abode which had been created and consecrated by his genius. However, if this bill passed, as he trusted it would, there was every reason to expect, that they would continue to reside on that spot which the great author had adorned, and he trusted, they and their descendants would continue to do so for many generations. The great principle of this bill would, he trusted, meet with the sanction of their Lordships, and he was glad that this controversy had been at length brought to an end. The public were greatly indebted to the noble Lord who had introduced this bill into the other House of Parliament, and still more to his learned Friend, Mr. Sergeant Talfourd, who had first introduced the subject in the other House of Parliament, and who, Session after Session, against so many difficulties and so much discouragement, had persevered in pressing forward this question. To him, the authors of this country, as well as the public, would be indebted for the improvement in the law of copyright, which was, he trusted, now about to take place, and the consciousness of the result of his labours would be to his learned Friend, a more glorious reward than the attainment of professional honours, or of any other of the objects of a less elevated ambition.

Bill then went through committee.

House resumed.—Report to be received.

Adjourned at ten o'clock.

HOUSE OF COMMONS,

Thursday, May 26, 1842.

MINUTES.] BILLS. *Public.*—1°. Newfoundland; New South Wales.

2°. Witnesses Indemnity.

Private.—1°. Gair's Naturalization.

2°. Tay Ferries.

Reported.—Market Harborough and Brampton Road; Birmingham and Liverpool Junction Canal (No. 2); Boston Harbour (No. 3); Toxteth Park Paving, and Sewerage; Dundalk and Bannbridge Road; Cambuslang and Muirkirk Roads; Glegg's Divorce.

3°. and passed:—Tyne Fisheries; Holywell Roads.

PETITIONS PRESENTED. By Mr. O'Connell, from Roman Catholics of Stafford, and Coventry, for Equality of Civil Rights.—By Mr. Gill, and Lord Howick, from Devonport, Plymouth, and Sunderland, against Reduction of the Duty on Foreign Rope and Cordage.—By Mr. O'Connell, from Dublin, for Repeal of the Corn-laws.—By Mr. Walker, from Attornies at Bury, for the Repeal of the Duty on their Certificates.—By Mr. Makinnon, from British Residents at Bruges, and other parts of Belgium, for placing the Postage and Communication on the same footing as that of France.—By Mr. T. Duncombe, from Sudbury, and Ballingdon, for a measure to prevent Bribery, Coercion, and Intimidation at the Elections for that Borough.—By Mr. Plumptre, from Malpas, Islington, Renfield, Calton, Leamington, Watton, Gorbals, Exton, St. Enock's, St. George's, Banton, Tewkesbury, and other places, for the Prevention of Railway Travelling on the Sabbath; and from Peckham, for the Exclusion of Roman Catholics from Parliament.—From Clonakilty, against the Fisheries (Ireland) Bill; and from Kilmurry, and Carnavee, in favour of the same.—By Mr. Ferrand, from the Keighley, Chorley, Dewsbury, and Hereford Unions, for the Alteration of the Poor-law Amendment Act.—From Clonbroney, Killeevan, and Clones, for Alteration of the present System of Education (Ireland).—From Irvine, against Alteration of the Timber Duties.—From South Petherton, Nantwich, Fowey, Marston Trussell, Great Chesterfield, Wigan, Leicester, and other places, against any further Grant to Maynooth College.—From the Bakers of Newry, for the Regulation of their Working Hours.—By Viscount Duncan, from Bath, and Kildare, for measures to prevent Bribery at Elections.—From Plymouth, against the Poor-law Amendment Bill.—By Mr. O'Connell, from St. Helen's (Lancashire), for the Repeal of the Union (Ireland).—From Ayr, against the Reduction of the Duty on Boots, Shoes, and Leather.—From Captain Manby, for consideration of his Plan for saving the Loss of Lives and Property by Shipwreck.—From the Chairman of the Glasgow Church Defence and Anti-Patronage Electoral Association, for the Abolition of Church Patronage (Scotland).—From Chas. Bradley, praying that the present Parliament may be Dissolved, and a new one elected according to the Constitution.—From Richard M'Cormick, for Inquiry into alleged Abuses in the Army.

NEWFOUNDLAND AND NEW SOUTH WALES.] Lord *Stanley*, as it was understood that the Government would not interpose any business to prevent the discussion on the matters of the Ipswich and Southampton election petitions, although they were not matters of privilege, wished to state that he had two notices on the paper for leave to bring in two bills, to make further provision for the government of New South Wales and Newfoundland; and he trusted that, as these were matters of importance, he would be allowed to bring them on at a later period of the evening.

Mr. *O'Connell* hoped, that full opportunity would be given to the people of Newfoundland to know the nature of the noble Lord's measure, and to state their views.

Lord *Stanley* said, that in point of fact, the constitution of Newfoundland was now suspended, and it was necessary to carry a bill to provide for the Government there

CONTROVERTED ELECTIONS.] Mr. *O'Connell* asked the right hon. Baronet a question relative to the act for the trial of controverted elections. That act would expire at the end of the present Session of Parliament, and he would ask whether it was in the contemplation of her Majesty's Government to bring in a bill during the present Session to continue it?

Sir *R. Peel* replied, that it was assuredly his intention to bring in a bill to continue the present act for a certain time longer, and when he saw the number of compromises, alleged to have taken place, it certainly gave him the impression that there was a more searching inquiry instituted under the new, than under the old act. He hoped that the House would never consent to part with its jurisdiction in election matters. Whether it would be right to make any modification in the existing act he would not now state; but it was his intention, by renewing the act, to ask the House whether they would retain the jurisdiction.

Mr. *O'Connell* would say, that whatever change might be made, he did not think that the trial of controverted elections could be in worse hands than in those of Members of that House.

PROSECUTIONS FOR BRIBERY.] Mr. *Williams Wynn* was glad that the House thought that the issuing of two writs for the two places whose representation was now vacant ought to have precedence, and preference over any other business, inasmuch as it was amongst the first duties of the House to decide upon them. He was glad also that, in consequence of the suggestions made by an hon. Member on the other side of the House, he was able to make a proposal to the House which would apply to two cases affecting opposite sides of the House, so that it could not be thought that what he proposed was in the slightest degree connected with political feeling, or that he wished to give any advantage to one side or the other. All parties were equally concerned in this matter, and it was equally the duty of all to use every means in their power to enforce the law already enacted, or if their was any deficiency in the law as at present established, they should frame a better one for the punishment of bribery and corruption. Since the subject had been last mentioned, he had again read over the evidence in the Ipswich and Southampton cases, and he was confirmed in the opinion that there was not in the evidence a sufficiently extensive measure of corruption to call upon the House to take any steps for destroying suspending, or altering the elective franchise in either of the two cases. There might be evidence of suspicion, but there was no evidence of a sufficiently extensive corruption to justify the bringing in of any measure to affect the rights of those who were not mixed up or concerned in these transactions. He had ever been ready to support such measures when it was clear that the corrupt on was general, or that the proportion of the constituency connected with the corruption was so great as to deprive those unconcerned of the efficient exercise of their rights. He did not think that in the present cases there were any grounds for a legislative measure; but the question was, whether in the instances which had come before them in the reports of their committees, showing it was their impression that extensive bribery did exist, an impression clearly supported by the evidence, the House would allow the matter to be passed over in silence—whether they would allow the individuals, whoever they might be, the bribers or the bribed, to go to other elections to repeat their crime, and whether such disclosures should be attended with no evil consequence whatever to the parties, but serve rather as an encouragement to them to pursue the same acts. In dealing with these cases he would take the two separately. On reading the evidence given before the Ipswich committee, he certainly found there was sufficient grounds for the opinion of the committee, that "extreme bribery prevailed at the last election for the borough of Ipswich." Of the existence of that bribery there could be little doubt; at the same time he was free to acknowledge, and before he proposed to the House that they should direct the Attorney-General to prosecute, he would state that he did see a difficulty which arose from the peculiarity of the evidence. That evidence was such as to leave no doubt of the practice of extensive bribery. Still it might be very difficult to establish individual cases. He would not, therefore, propose to take the same course as had been taken in other cases, and direct the Attorney-general to prosecute certain individuals, because it was impossible to say which it would be necessary to make use of as evidence, and also because there might be considerable reason to believe that this bribery prevailed upon one side as much as the other; and he did not wish to shut out the consideration of those cases. The committee had, of necessity stopped the hearing of this evidence: they had acted perfectly right; they could not enter upon the evidence produced to prove recriminatory charges. They must, therefore, have further inquiry and further investigation before the individuals to be prosecuted could be selected. He was quite aware of the difficulty which must attend any further investigation, because the motives to furnish the evidence must be slight; the desire must mainly proceed from party hostility, and not from a desire to further the ends of justice. This was the great difficulty in all these cases, and had probably led to some of those compromises which they heard had taken place. The parties in the election cases must look to what would be the probable result of the inquiry. It might prove bribery to such an extent as would lead to the disfranchisement of the borough, by which all would equally suffer; and, at any rate, it might injure neighbours and draw down public feeling against themselves, for the public feeling was such as not to give any countenance to these inquiries; on the contrary, they generally found that the feeling of the jury and of the populace was not with those who prosecuted, but with those who were guilty of bribery. He thought, therefore, he might fairly state there were great difficulties in the case. It was said why had not the House shown itself more careful to put down bribery? The House had never been wanting in a desire to put it down during the last 150 years. It had been stated that bribery at the last election had existed to an extent never before known. The House however had frequently brought forward measures to prevent it, some of which had met with the concurrence of the other House, and he knew of no measure that could be devised more stringent than these measures which had already been passed. The bribery bill of 1729 contained enactments imposing penalties on those who gave, or who promised a reward, and on the voter who asked for a bribe, or consented to be bribed. These penalties that House had fixed at 70*l.*, and these penalties the House of Lords, not choosing to negative the bill altogether, had altered, interfering with what were considered the peculiar privileges of the House of Commons; the other House had raised the penalty to 500*l.* The House had wisely determined that its own privileges, though interfered with, should not be turned against itself, and instead of avoiding the penalty of 500*l.* it had acceded to it. Now, this act was read publicly before the commencement of every election, and no one could say, therefore, that there was not sufficient notice of its existence. But although by the provisions which this statute contained an indemnity was granted to any persons who should prosecute to conviction in a court of law any other persons for the offence of bribery, against any of the consequences of any act of bribery in which he was himself concerned, a similar indemnity was not granted to those who should give evidence of bribery before that House, or before a committee of that House. This, he believed, had proved a most efficient protection to corruption, and he sincerely hoped that a difficulty so striking might be removed; and as, for the first time, a bill had been sent down to that House from the House of Lords—a bill of protection of the privileges of the House of Commons—he for one was most willing to welcome that bill and to agree to it, so far as he approved of its principle; and he did agree with its main provisions, although in some particulars it did not receive his approbation. He for one was willing to render it applicable so far as was possible to the particular circumstances of this case. But he wished to ask, whether the House, looking at the cases of bribery which appeared from their proceedings to have occurred, and the system of bribery which had been carried on, would not institute a further inquiry into the subject, with a view to the prosecution of those who were guilty? He did not wish that any strict directions should be given to the Attorney-general, but looking only at these particular cases, he must certainly say that he thought they were instances in which it was highly probable that, on investigation, witnesses might be found such as to induce the Attorney-general to enter into proceedings against some individuals of a criminal nature. The evidence of the witnesses who had been already examined before the committee might require to be strengthened on particular points, and, therefore, while he proposed that the Attorney-general should be directed to prosecute the persons concerned in the bribery which had taken place at the late election at Ipswich, he should propose to leave a discretionary power with that learned individual, to be exercised by him after the inquiries which he should have made, in order that he might proceed in those cases only where the evidence should appear to be sufficiently strong to warrant such a step. For his own part he entertained feelings of the most sincere pain at the perjury and prevarication which appeared on the part of many of the persons who had been examined in these cases. Taking the case of Ipswich, two of the witnesses had admitted that there was evidence against the two late Members for that borough, and they said that a public speech had been made, in which it had been declared that it should not be 1,000*l.*, 2,000*l.*, or 3,000*l.*, which should prevent their having their seats. The committee had not in this case stated on their finding that the sitting Members knew of the bribery which had been carried on, but from the statements which had been made to that House, hon. Gentlemen could not have the least reason to doubt that that omission had arisen from the fact of the committee not being aware of the direction contained in the late act of Parliament that they should do so, and if they had made a report upon the subject, there was little doubt that they would have declared that the practices to which he had referred were known to those Gentlemen. The speech to which he had alluded had been deposed to only by two witnesses, and others were called who had denied that anything of the sort had occurred, and if such a speech had been made, there was very little doubt that it could have been proved, as it must have been heard by a great number of persons. The committee, therefore, he thought, were right in not taking this as evidence that these Gentlemen were connected with the bribery proved. Other witnesses were called whom it was perfectly impossible to believe—who were determined not to tell the truth; who said that the occurrence had taken place nearly twelve months ago, and whether they had received money or papers from any individual they were unable to say. Now this was what convinced him of the necessity of having such cases repeated to the House, and which also convinced him of the necessity of continuing the detention of witnesses who were taken into custody for perjury or prevarication for a longer period than they were accustomed to sanction such detention. In the present case, he thought that they had no option but to institute an additional inquiry through the medium of the Attorney-general, supplementary to the inquiry of this House before the election committee, because that committee had had no prosecutor before them, and had had no one before them interested in conducting the evidence and in endeavouring to establish a case. He apprehended that on subjects of this nature the Attorney-general was the servant, not merely of the Crown, but of the House; the House might instruct him to institute proceedings, and he therefore moved that the Attorney-general be directed to prosecute such persons as shall appear to him to have been guilty of bribery in respect of the last election for the borough of Ipswich. The right hon. Gentleman said that his motion, as he had given notice of it, included also the case of Southampton; but he should move that hereafter.

Sir *Thomas Wilde* felt considerable difficulty, as he always must feel, in rising to address the House, in opposition to anything which had been urged by so distinguished a Member of that House as the right hon. Gentleman who had just sat down; but he felt so strongly the difficulties which were in the way of the motion which the right hon. Gentleman had made, that notwithstanding the diffidence under which he had stated that he laboured, he was induced to intrude himself upon the notice of the House. He thought, that the House stood at this moment before the public, in rather a peculiar position, and that it would be very inexpedient that they should aggravate the peculiarity of those circumstances by taking any steps such as those which were proposed He was not aware, that any directions had been ever given to the Attorney-general, in the general form which was now proposed, and he was fortified in this belief, by the view expressed by the right hon. Gentleman, who had himself stated, that he believed that this proceeding was at variance with the course usually adopted. He had heard it said in that House, and he agreed in the opinion that it should be only on very strong occasions that the House should direct any prosecution to be instituted. Generally speaking, such a direction would operate to the prejudice of the defendant, but he must say, that in the present case he did not feel that any such disadvantage would arise, for, on the contrary, he firmly believed, that the very fact of the prosecution being ordered by that House, would rather induce an acquittal of the person charged. He had had some experience in reference to what had occurred, even before those discussions which had taken place in the course of the present Session of Parliament, for the House had in a former Session directed him to prosecute several persons in the St. Alban's case. Whoever had read the evidence in that case, together with the speeches from counsel, and the summing up of the learned judge, would, he was satisfied, feel convinced, that some peculiar circumstances, not arising out of the evidence, must have led to the conclusion which had been arrived. There was no doubt in his mind, that there was at present so strong an impression in the country regarding the existence of bribery in the conduct of the Members of that House, that any prosecution ordered to be undertaken, unattended by some general measure directed to the suppression of the evil, would be viewed as a persecution, and as being directed in a spirit of hypocrisy, and with the object of bolstering up the system now so universally decried, rather than with a view to putting it down. He was convinced, that no one felt more than the right hon. Gentleman who had brought forward this motion, how desirable it was to sustain the honour and integrity of the House, and that it was with such an object, that the right hon. Gentleman had been induced to suggest this prosecution, but, at the same time, he would beg to ask, did any one expect that any public good would result from the prosecution proposed? So long as those proceedings were confined to a few cases —were confined to individuals of little influence — to the conviction of one or two miserable individuals, no other effect would be produced, than to excite sympathy for the persons charged, and disapprobation for the conduct of those who had selected a few individuals, in order to make a pretended show of hostility to the system of which they were the supporters. It would naturally occur to the public to inquire "if bribes be received, who give them?" and when they looked at the quarter from which the money proceeded, by which guilt was induced, and found, that that House had produced funds to seduce the people whom they afterwards prosecuted, he thought that such an inquiry might well be made. But, first of all, he thought that great practical difficulties stood in the way of the proposition now before the House. The committee who had inquired into this case had presented no individuals to the House by name as having been guilty of bribery, with such evidence as enabled the House to appreciate the probability of conviction; and they were unable, therefore, to point out any individual who should be made the object of any direction which they should give. What means had the Attorney-general to ascertain the probabilities of the case—to call witnesses before him and to examine them? What agents must he employ to effect such an object? What means had he of going or sending into those quarters where inquiries should be made, and of making such an investigation as could enable him to obtain that information which he required? He conceived that it was not the duty of the Attorney-general to persecute individuals —to institute prosecutions without the probability of success. In the case to which he had alluded, he stood in this position, in consequence of the orders of the House. When he examined into the evidence, upon the directions which were given to him to institute a prosecution, he was satisfied that there was no evidence upon which a conviction could be looked for. The orders of the House, however, had been given, and he had thought it right to say that the prosecution should be suspended until he could make a communication to the House upon the subject, for he did not believe that the House had issued the orders which they had given, and that they wished those orders to be carried out without a reasonable ground to expect a conviction. When the House sat again he was out of office, but he had no doubt that the prosecution subsequently instituted was not undertaken without some good reason — upon the ground of some new evidence having been obtained, or of some other circumstances which induced a belief that a conviction would be obtained. The House, before they directed a prosecution, must be convinced that there were reasonable means to induce a belief that the prosecution could be supported. But he was satisfied that the Attorney-general would not have the means in this case of getting at the evidence which was requisite. But supposing that he did possess such means—that he should devote six or nine months to the case, sending down agents to make inquiries, and receiving their report, it was after all upon that mere report that he must act. The last thing which a consul could do was to see any witnesses himself before they came into court; it was considered to be matter of the greatest consequence that this rule should be strictly attended to, because it was natural to suppose that the course of his inquiries would afford the witness the means of knowing the particular part of his evidence which was important, in reference to which, therefore, he might shape his testimony in court either favourably or unfavourably to the prosecuting party, as he might feel disposed; and therefore it was that this rule, which applied to all except witnesses whose testimony was of a scientific character, in respect of which, therefore, it might be desirable that the counsel should obtain some information from him, was strictly adhered to. The Attorney-general, therefore, must act entirely upon report—he would not have any personal means of information. But if, after all, he could do that, which he said the Attorney-general could not, he begged to submit to the House, most respectfully, that considering the reference to a committee which they were about to make for the purpose of inquiry, considering the extent of the system of bribery which had been carried on, this was hardly a fit moment for them to direct such proceedings as were proposed, if they did not also manifest their desire to put down the general system by some legislative measure. The course of defence in the St. Alban's case had been that bribery was so common in the House of Commons, that nothing but party motives could have induced that prosecution to be directed to be undertaken. Whether the jury adopted that view he would not say; but he must say that nothing could more disparage that House than such a prosecution being ordered. Speeches delivered in that House might be quoted before the jury, which would would rather excite disgust, than any desire to convict; and he thought that what had passed in the present Session even rendered such a prosecution highly inexpedient. Any one sitting in that House during the present Session must have been very much struck with the exhibition of feelings and views—which, if quoted, would tend very little to show a good feeling to be entertained by that House. What had happened? Every committee which had taken any steps with regard to this question had been charged with a vindictive spirit, and had been held up as consisting of persons of illiberal views; while every witness who was made to suffer the displeasure of the House had been regarded as an object of sympathy. If any hon. Member, influenced by the best feelings, deemed himself bound to bring forward the question of bribery, what was the consequence? He was charged with ruining the character of the House, and everything which had tended to impede or to prevent inquiry into the system which had been carried on had been viewed as matter of satisfaction, rather than anything else. If an individual rendered himself obnoxious to the censure of the House, the greatest degree of anxiety was exhibited until he was delivered from thraldom; and a few days' or hours' confinement were abundantly sufficient punishment—nay, too much for his offence; and yet the House was to put individuals to great expense, and to the disgrace and harassment of an indictment, although it could not but be seen that the orders by which proceedings were directed could not be the result of a sincere desire that such prosecution should be carried out. He, therefore, hoped that the House would forbear directing any proceedings to be taken in the general terms of this motion, and would forbear to proceed to the cases pointed out, for until it had taken some measures to set itself right in the public mind, by showing that it was sincere, and by punishing, not those who had been guilty of receiving bribes, but those who had furnished the means of bribing, it appeared to him that no practical good could arise from such a proposition as the present, and that every circumstance connected with the subject rendered such a proposition inexpedient. Undoubtedly this was an awful moment for the country—the extent of bribery carried on rendered it fearful, for the House would remember the expression—the prediction of an eminent constitutional writer. He had said that the sign of the ruin of this country would be when the constituency was more corrupt than its representatives. He feared that that was the state of the constituency at the present time, and though he would hold up to censure those who furnished the means of corrupting the people, the disposition to receive bribes was so universal as to leave the constituency in a state very little likely to discharge its duty to the country. In such a case, the prosecution of a few cases would operate with no practical good effect—it would disparage the House rather than raise it in the public estimation, and public justice would not be advanced by the proposition being carried out.

The *Solicitor-General* perfectly agreed with the greater part of the observations of his hon. and learned Friend who had just spoken, although he was not sure that he should resist the present motion upon the same grounds upon which his hon. and learned Friend had opposed it. It appeared to him to be somewhat extraordinary that this House should say that they would not institute a prosecution, because they thought that a prosecution by the House would have the effect of inducing the jury to acquit the person charged. He was not disposed to agree in this proposition, nor in that which had been held by his hon. and learned Friend, that because bribery was, unfortunately, very general and very extensive at the last election — because they had seen many cases of this nature in that House, therefore that House should take no steps to put down the system until they brought forward some measure for that purpose. And he thought that it would be a very bad thing to hold out impunity to those who might take bribes at an election, and to say that, in the present state of the law, the House was not prepared to direct the Attorney-general to prosecute. He did not think, therefore, that he could agree to resist this motion on these grounds. There was one thing in which they must all agree — in lamenting the extensive nature of the bribery which had existed at the late election; and when his hon. and learned Friend had said that this House had shown no desire to put down this system, he hoped that that was not a true representation of the feelings of the House, for he was sure that there was no hon. Member who was not deeply interested in attaining that object; for he was satisfied that nothing was more likely to injure the constituency and every institution of this country than the general prevalence of bribery. And therefore he did not agree that it was the feeling of that House not to take steps for the prevention of that offence, but, on the contrary, he was sure that as it was the interest, so it was the wish of every hon. Member to adopt some measure to put an end to the continuance of the system which unfortunately prevailed. Now, what was the best course to be taken? With regard to this motion he entertained very serious objections to it. There had been many cases of bribery, and the course had been this. If the case was made out before the committee of the House of Commons, and there was evidence offered, fixing the guilt of that bribery on any one, the invariable practice had been for the committee to make a report, and for the House then to direct the Attorney-general to institute proceedings against that person. But the argument of the right hon. Gentleman had been this that in reading over this evidence with regard to Ipswich, which was now before the House, a great deal of evidence appeared to have been offered of acts of bribery committed by particular individuals, but the right hon. Gentleman could not state himself that the witnesses were worthy of credit, or that the parties had been shown to have been guilty of any offence. But the right hon. Gentleman said, "Let the Attorney-general be directed by the House to take this report, and to investigate these cases, and that the Attorney-general shall exercise his own judgment whether these persons should be prosecuted." But the answer to this was, that the Attorney-General had no means of doing that. He could take the report as it stood, and the evidence which appeared upon the face of it, and he could form a judgment upon it whether it was sufficient to make out the charge; but if he was to examine witnesses—to investigate the matter—to make inquiries—by what means was he to do so? He had no means of compelling witnesses to come before him, or of making a proper investigation. It was true that if the House should direct the Solicitor of the Treasury to proceed to the spot, and to make inquiries, it might be done, and some good result might be expected to be produced. But that was not the motion, and besides it was not usual for the House to adopt that course. The usual course for the House to take was to find whether there was a case against any individual in the report which was made by the committee, and if it was so, to direct a prosecution; and the consequence of proceeding in any other way might be, that the Attorney-General must altogether get rid of the order of the House, or might institute a prosecution which, according to his own views was improper. He agreed with his hon. and learned Friend that it was an injudicious course for the House to take to direct a prosecution to be instituted on light grounds, or in cases where there might be a doubt as to the conviction of the parties charged, and that cases ought to be brought home to the parties charged to induce the House to interfere. He objected, therefore, to the motion that it was contrary to precedent—that it was not in accordance with the usual course—that it supposed a power to exist in the Attorney-general which he did not possess; and he hoped, therefore, that on these grounds his right hon. Friend would consent to withdraw his proposition. But he wished again to guard himself against the supposition of his offering an opposition to this motion on the grounds taken by his hon. and learned Friend. Certainly the House should take every opportunity not only of expressing, but of showing a determination to do what they could to put down this system, and he, as an humble Member of that House, should be most happy to give his assistance to any measure brought forward on either side of the House—either a general legislative measure or otherwise, which might have the effect of putting down or checking this evil. He believed that any measure likely to be attended with any good result would receive the support of his hon. Friends around him, and of the majority of the House. With this feeling, at the same time, he could not support the motion of his right hon. Friend, nor could he believe that it would be attended with any good practical results.

Lord *John Russell* felt very much the argument of the hon. and learned Gentleman who had just sat down, but it appeared to him that if the House was inclined to adopt the motion of the right hon. Gentleman, the Attorney-general must take one of the two courses which had been pointed out. The one would be to find such cases as might appear from the report of the election committee, and from the evidence, which in the present instance the right hon. Gentleman did not think was sufficiently strong to induce him to move that the Attorney-general should proceed against any particular individuals, to be likely to be sustained. The House must suppose, however, after what the right hon. Gentleman had said, which he believed to be well founded, that the Attorney-general would not be likely to succeed in any prosecution which he might undertake. It would be a great misfortune if prosecutions, directed by the authority of that House, should be found to rest on such grounds, that the Judge should say that there was not sufficient evidence to support them, or that the jury should arrive at the same conclusion, and he was sure that the House would not willingly order such prosecutions. But there was another course which the Attorney-general might take. He might apply to the Treasury, and might say that he had not sufficient means himself to direct the investigation, and he might desire that, as in some cases of some prosecutions for crimes, such as riots and so on, the solicitor of the Treasury should be directed to inquire what evidence could be produced against whatever parties there might be who were supposed to be guilty of bribery. Now, he did not say that the House might not, on consideration and deliberation, think that such a course was expedient, but on the first view of the matter, he was not prepared to adopt such a line of proceeding; because they must of course suppose that the Government, and the Attorney-general, acting under the direction of the Government, could not be without some bias with respect to the great party struggles in boroughs in political elections, and it would be rather a dangerous precedent for the House to adopt, to say that an officer appointed by the Crown should determine that with respect to certain individuals there should be a prosecution, and that with respect to others, both being charged with the same offence, there should not be a prosecution, even without saying that there would be partiality in the execution of that power. Yet, if it should be found that a prosecution was directed against a Liberal attorney, or tradesman, and the Tory attorney, or tradesman, was not prosecuted, it was obvious that there might be conclusions drawn, although there were no grounds for supposing that it had been done from feelings of political partisanship. He thought, therefore, that it was inexpedient to take the course proposed. He certainly could not agree with all that had fallen from his hon. and learned Friend the Member for Worcester, for he could not agree that that House should at once admit that there were any views in that House favourable to bribery, and that therefore they were unfit to direct a prosecution to be instituted. Hitherto, when any persons had been found to be guilty of bribery, he had always been ready to concur in a vote that directions should be given for a prosecution to be instituted; and there was great danger in the admission that they were not as competent as ever to direct prosecutions in such cases. But there were some grounds for saying that there had been occasions on which the House had shown some favour to parties who had been examined before committees of the House, and he must refer to what had occurred in one case, because the course which had been taken in that case had somewhat surprised him. He had been in the House when the hon. and learned Member for Woodstock had given notice of a particular motion. There had been a case with respect to a particular witness, who was supposed to have refused to answer questions, and the chairman of the committee had stated to the House that the committee thought it would be advisable that he should be retained in custody until the Monday following. He had concluded that the House would agree in the opinion expressed by the committee, as they usually had done, and the hon. and learned Gentleman said that at the next meeting of the House he should move the liberation of the person referred to. It had occurred to him at the moment to ask whether, by the term "the next meeting," the hon. and learned Gentleman meant the Monday following, this having occurred on Saturday, but he thought that to put such a question would look so much as if he suspected the hon. Gentleman of unfair dealing, that he resolved to abstain from putting it, upon the supposition that he could not mean any other day. He subsequently learned, however, that late in the night, and towards one o'clock in the morning, a motion was made that the House, instead of adjourning until Monday, should adjourn only to Saturday, and on Saturday, at two o'clock in the day, the witness, whom the committee had decided should be kept in custody until the following Monday, was liberated. Nothing, he thought, could be more gross and partial than this conduct. Many hon. Members might have left town very early on the Saturning morning, under the impression that the House had adjourned to Monday, and thus surreptitiously, and without any notice, it had been resolved that the House should meet on the Saturday, and when the House did meet, that this witness should be discharged. If he had been on that committee, he confessed that he should have felt that the House was not prepared to support any witness who gave evidence of acts of bribery—that in this case the House had favoured bribery, and that wherever a witness refused to give evidence with regard to that offence, he might look to be screened from punishment by that House. If there had been the intention of acting fairly, due notice should have been given, and the hon. and learned Gentleman should have distinctly stated that he intended to move that the House should meet on Saturday. This would have been the course consistently with common fairness; he, therefore, thought that his hon. and learned Friend was justified in saying that there was a disposition in that House to screen witnesses in particular cases. He agreed with the Solicitor-general as to the inexpediency of adopting the motion before the House.

Mr. *Thesiger* was perfectly astonished at the course the noble Lord had thought proper to pursue, upon a totally different subject, without the slightest notice to him (Mr. Thesiger)—without giving him the least intimation. The noble Lord had thought proper to advert to the circumstances that had occurred in a former debate—a most irregular course; and, above all, a debate in which he had taken occasion to explain, as he thought, to the satisfaction of the House, his conduct with regard to the motion for the release of the witness. The noble Lord not being in his place at the time, and not having heard the explanation he had given, chose to bring forward a charge again, when, as he understood, the whole matter had been satisfactorily explained and settled. It would, therefore, be necessary for him to explain again, rather for the satisfaction of the noble Lord than that of the House, what was the course he had proposed with regard to the release of that witness. The noble Lord was mistaken in supposing, that the witness had been ordered to be imprisoned till Monday. The committee directed, that he should be committed to the custody of the Sergeant-at-Arms; and they then reported to the House, that he had suppressed certain documents, which he had been served with an order to produce, and which he did not bring before the committee. The matter was adjourned on the suggestion that the warrant was illegal. He entertained a very strong notion on the subject, and he thought it his duty, therefore, to come down to the House prepared with a notice for the release of the witness, who had been, in his opinion, illegally detained. He inquired who was to move the usual adjournment of the House from Friday till Monday, and was informed by the right hon. the Chancellor of the Exchequer, that he should make the motion. He immediately gave him notice of his intention to oppose that motion, and to move, that the House do meet on Saturday, and at the time, he believed, that the motion would be made at an early period of the evening, when the House would be full, and that he should have an opportunity of bringing before the House the question whether they would detain a witness for a length of time illegally, or whether they would meet for his discharge the following day. His right hon. Friend told him, that he should not move the adjournment at the usual time, because it would interfere with a question which he was anxious to bring before the House. It was, therefore, merely by an accident, that the subject, and, of course, his motion to meet on Saturday, had been thrown back to a later period. He had given notice of his intention to every hon. Member on his side of the House. [*Cheers.*] Hon. Members should not cheer so soon, for he was about to add, that he had given notice to hon. Members also on the other side. His hon. and learned Friend, the Member for Cirencester, could inform the noble Lord, that he had communicated the fact to several hon. Members on the other side that it was his intention to oppose the adjournment of the House to Monday. The Chairman of committees had said, that he was aware of his intention to do so, and, therefore, he thought he was justified in saying that he had given every public notice in his power, and that every one was prepared for an opposition to the usual motion. He thought it was rather hard that the noble Lord should, at that late period, come forward to charge him with having been guilty of bringing forward the motion surreptitiously, and with unfair conduct in moving the adjournment of the House to Saturday. He thought he had justified the course he had pursued, and he had trusted the noble Lord would have been generous enough, not to have taken that opportunity of bringing a charge against him, as he might have alluded to the explanation of his conduct which he had given, or he might have received it from hon. Members on his side of the House. That being wholly beside the subject matter of the present debate, he certainly did not intend to have said a word on the present occasion, but having been so pointedly referred to by the noble Lord, he could not avoid giving this explanation. With reference to the present question, he would observe, that it struck him, that it would be very inconvenient, if the House were to direct prosecutions to be instituted for bribery on the grounds suggested by the right hon. Gentleman. He had a great objection to the House directing proceedings in such cases. He did not think it correct, and he doubted whether it were a constitutional mode of proceeding. He did not think any prosecution should be instituted on light and trifling grounds. There should be the clearest evidence, that the parties, if they were placed at the bar of a court of justice would be convicted by a jury. In all cases where a jury looked upon a prosecution as being instituted from political motives, it became most objectionable. He thought, also, that it was derogatory to the dignity of the House to delegate its authority to another individual, by directing the Solicitor of the Treasury, or any party, to procure evidence against the parties concerned.

Lord *J. Russell*, in explanation, said he was not aware, that the hon. and learned Gentleman had communicated his intention to the Chancellor of the Exchequer, or any other Member of the House. What he complained of was, that it had not been openly announced to the House, because he should have opposed the adjournment of the House to Saturday, and instead of leaving the House at 12 o'clock, he should have remained, and he believed many other hon. Members left the House, without being aware of the hon. and learned Gentleman's intentions.

Sir *C. Napier* was one of the majority who supported the adjournment of the House to Saturday, and his reason was not to protect or favour a man who had been guilty of bribery, but because he had heard the Attorney-general declare, that the warrant was illegal. He thought it his duty, therefore, to support the motion. Nay, he had done more, for he had moved the immediate discharge of the witness; and in doing that he had been charged with having made the most unjustifiable motion, that had ever been submitted to that House.

The *Attorney-General* was anxious to say a word with regard to the interlocutory debate that had been introduced. He begged to say, that on the Friday night, when the motion was made by his hon. and learned Friend, the Member for Woodstock, his hon. and learned Friend had given an explanation, which he considered, so far as his hon. and learned Friend was concerned, perfectly satisfactory. But inasmuch as the House was then very thin, his hon. and learned Friend repeated his explanation the following day, and then also it appeared to be satisfactory. He had certainly differed from his hon. and learned Friend on the motion for adjournment till Saturday, but with regard to the course his hon. and learned Friend had adopted, he thought the explanation then for the third time given was perfectly satisfactory. He was satisfied, that his hon. and learned Friend had given all the notice in his power. With regard to juries being influenced by the fact of the prosecutions having been instituted by order of that House, he doubted it very much, and he did not think they were influenced by any such feeling. As to the case to which reference had been made, the House should bear in mind that one of the witnesses had been recently confined in a lunatic asylum, and that the other was familiarly called by a name intimating an utter want of veracity. The House had no more right, in his opinion, to call in question the verdict of a jury, than to call in question the conduct of a judge, except in the regular and constitutional way. The present motion was one which called upon the Attorney-general to use the discretion, and exercise the judgment of the House of Commons; it was placing him in a position to do what was the duty of the House itself; and, although he should not shrink from the honest discharge of whatever duty might be cast upon him, he should protest against being placed in so delicate and responsible a position, unless there was some very strong case calling for it. Nothing but respect for his hon. and learned Friend, the Member for Worcester, had induced him to go on with the prosecution of Swan. That prosecution had been instituted from the report of the committee laid before the House; but it had been carried on from information derived from other quarters. The House was not sitting at the time; but he was not sure whether, had the House been then sitting, he should not have felt it his duty to have come down and made a communication to it on the subject. He believed great inconvenience would arise from the House directing prosecutions to be instituted without being sure of its ground, because it would be a sort of inducement to other persons to fish for evidence against the parties selected for prosecution. He trusted, under these circumstances, his right hon. Friend would not press his motion, but withdraw it, when he could bring it forward again, naming the individuals, where there was a certainty of the charge of bribery being brought home against them.

Mr. *T. Duncombe* said, even if the right hon. Gentleman made out a clear case of bribery, he should not support his motion. He agreed with the hon. and learned Member for Worcester, that the House did not stand sufficiently high in public estimation, and was not in such good odour, as to enable them to bring forward prosecutions like the present with any chance of success. In the last Session of Parliament, the House had directed that Dr. Webster, of St. Albans, should be prosecuted for bribery. What occurred? Previous to its being instituted, it was stated that a most disgraceful compromise had been entered into between the two places against which petitions had been presented—namely, Canterbury and St. Alban's; and it was arranged that the petitions in both these cases—although, had they been proceeded with, it was quite clear, from what had transpired, that the allegations would have been proved, and that neither of these hon. Members had any right to sit in that House for the remainder of the Session—it was arranged that the petitions should be withdrawn, and a most corrupt compromise had been clearly entered into, much worse than any of the cases that had been brought forward during the present Session. What was the consequence? Dr. Webster was prosecuted, but the public looking at the tainted source from whence such prosecutions emanated, considered all men so prosecuted more as martyrs than as criminals. What did the mayor of St. Alban's, Mr. Rumbold, say when the statement was made of money being brought by the man termed "Lying Adams?" By the way the Attorney-general had admitted that there was no doubt about the character of the man, but the House should have known it when it instituted the inquiry. The mayor said he was surprised at the occurrence of money being shown on the hustings, but not at hearing that bribery had been practised in town. Baron Alderson said,

> "You were not surprised at bribery being carried on, but at its being publicly admitted?" (and the answer of the witness was) "Just so."

The judge, at the conclusion of the trial, said it behoved the jury to come to a fair decision between the Crown and the parties before it; but that as for a reading a lesson to any other persons besides themselves, by the decision which they should pronounce, it was extremely idle. The jury retired for three quarters of an hour, and then delivered a verdict of "Not Guilty," which was hailed with loud and long-continued cheers. That was the result of the right hon. Gentleman's last motion for prosecuting one of the individuals who had been pronounced by a committee of that House guilty of bribery. Such motions as these were perfectly useless, and as the hon. and learned Member for Worcester had said, if they hoped to bolster up the system by such measures as these, they would signally fail. Nothing would do to secure public respect for that House but an entire remodelling its framework, and extending the class of electors by whom its Members were to be returned. He should vote against the motion, because he considered it partial and most unjust.

Mr. *Darby* said, that two of the witnesses on the trial alluded to had not given their evidence in a satisfactory manner, and a jury might be unwilling to convict upon their testimony. They had, however, stated that they had received bribes from a certain medical gentleman, and that gentleman having corroborated their evidence to a certain point, refused to answer the question whether he had given them money lest he should criminate himself. Thus, although there was in the case sufficient to enable a committee of that House to come to a conscientious conclusion, yet there would be a difficulty when it came to a prosecution; because, if the proceedings were instituted against the two persons who had received the bribes, there would be no evidence against them but that of the medical gentleman; and if the latter were made the object of prosecution, the only testimony tending to inculpate him would be that of the two who had received the money.

Mr. *Smythe* said, he was not cognisant of any compromise having taken place in the Canterbury case, and never was more agreeably surprised than by hearing on the morning when the petition was to have been tried, that it was abandoned. He had reason to complain of the manner in which the hon. Member for Finsbury had spoken of the gross bribery, as it was called, at Canterbury. That hon. Member would think it hard, if he accused him of exercising corrupt influence in the borough of Finsbury; and yet he had as much right to make such an attack as the hon. Gentleman had.

Mr. *O'Connell* said, that Canterbury and St. Alban's might settle their accounts as well as they could, but the worst of it was, that there had been a great deal of bribery which it would seem was not known to the Gentlemen in that House. He was sorry it was not in his power to support the motion of the right hon. Gentleman. The public were persuaded that there never had been so much corruption and bribery as at the last election; and every Gentleman who spoke in that House acknowledged that it had not been confined to either party, but had been most impartially shared by both. The right hon. Gentleman was anxious to find a remedy for the evil. There were means of facilitating the punishment of bribery, and thus preventing the practice. There had been an act passed requiring committees to inquire into charges of bribery without first establishing agency, and thus getting rid of the obstacles which had formerly existed on account of the difficulty of defining what was agency; but the House had not gone far enough. The refusal of a party to criminate himself was the great impediment to justice. Why did not the Attorney-general—no man was more competent—bring in a bill to indemnify witnesses who gave evidence before committees. He belonged to a Government which was powerful enough to carry such a measure, and while that step was not taken, however sincere, and however creditable the intentions of Gentlemen might be, the public would not give credit to them. By taking such a course, they would have men of the first rank in the country in the box, if they meddled in this dirty work, and it was impossible that such an amount of bribery should have taken place without many who were there listening to him having been deeply involved in it. If they neglected the course he pointed out they would have, in addition to the public opinion of universal bribery, a persuasion that those who condemned it were yet ready to avail themselves of its results. He opposed the motion, because he did not think it would lead to a useful result, being directed against the lower classes—the poor wretches who received bribes, and would not touch the miscreants who gave them.

Sir *R. Peel* said, it would be right to facilitate investigation into cases of bribery so far as was consistent with justice, but it was a dangerous doctrine to lay down that those who received bribes should escape with impunity because those who administered bribes were also culpable. Where bribery was found to have long existed amongst a constituency of 300 or 400 persons, he did not think the offence was justified or palliated by the position of the parties; and if the House could select some few instances for prosecuting with success those who had been guilty of receiving bribes, he thought it would be a just punishment to the individuals, and a useful example to the constituent body at large. The hon. Gentleman opposite, it seemed, had expended 30,000*l.* at elections, and that large outlay might go a considerable way towards explaining the hon. Gentleman's enthusiasm on the subject. The question was not without difficulty, but he owned he thought the arguments were rather against prosecuting. They had the authority of great legal opinions against it; but, independently of that, there were other considerations which led him to think it not expedient. He objected to the Treasury taking persons opposed to them in politics and sending them to trial, which he thought would be very unjust, and would give to the counsel on the trial the ground of a powerful appeal to the jury. It would be a very unfortunate result if such proceedings should fail from the weakness of the law against bribery, or the want of power of the House of Commons to bring such offences to justice; and as he could not consent to the Treasury finding additional evidence, and as he felt the difficulty of prosecution, he thought on the whole the arguments were in favour of abstaining from it. As to the statements that there had been more extensive bribery at the last than at any former election, and that a million and a half had been expended upon it, he believed there never was a more unfounded assertion. The hon. and learned Member for Cork said, that alterations had recently been made in the law for the purpose of facilitating the proof of bribery by enabling committees to take evidence of bribery without proof of agency. Now, by whom was that measure originated? By the House of Commons; and the House of Commons went much further, and he, therefore, did not think that House could be justly charged with a desire to shield persons guilty of bribery. On the eve of a general election, the House of Commons sent up to the Lords a bill which dispensed with agency, and contained other enactments which were objected to as much too stringent. Therefore, he said, it was not just to make a charge of connivance against the present parties in that House. He should be sorry if an impression were produced in any constituent body, high or low, that that House was unwilling to prosecute in clear cases. He could never consent to forego prosecution on that ground, but as the noble Lord had given notice of a bill for facilitating inquiry, and as an hon. and learned Member had a motion for inquiry into five different cases, —as there was also a bill on the votes, having for its object the prevention of bribery, he thought, considering that these were all measures of a general tendency, they had better wait the result of the discussions upon them than institute a prosecution against individuals. He acknowledged that he came to this conclusion with reluctance and doubt, for he thought it would be very unfortunate if it were supposed that the House abstained from prosecuting in a clear case of bribery, where the parties implicated belonged to the upper classes, and it would be a very dangerous doctrine to encourage that the particular class to which the party belonged could in any degree palliate the offence. With regard to a question put to him as to the working of the present system of committees, he certainly had not had much leisure this Session to attend to the proceedings of election committees, but taking these two instances, he had never seen fairer tribunals, as shown both by their proceedings and their results. In the Ipswich case there was not a vote come to by the committee which could be impugned as being influenced by motives of partiality—which did not, on the contrary, show that party considerations had been entirely excluded —and with regard to the final resolutions, in one case the sitting Members were unseated, and declared to have been guilty by their agents of bribery. In the case of Southampton, that resolution was carried by a majority of six to one, and in the Ipswich case, the decision which unseated the sitting Members was unanimous. Judging, therefore, by the tenour of their proceedings, and by their resolutions, he must say that, notwithstanding all he had heard this Session, he was not unfavourable to that jurisdiction, for he thought the committees had shown a strong desire to investigate cases of bribery, and, at least in these two cases, they had come to decisions excluding all party considerations.

Mr. *W. O. Stanley* had given notice of a motion to suspend the writ for Southampton, on the ground that a great deal had taken place into which the committee were not able to inquire, in consequence of a witness, named Wren, having refused to give certain evidence, and respecting which it was necessary that an inquiry should be instituted.

Mr. *Hume* believed that a sufficient number of Members to turn the majority of this House—though he would not say all—had been returned by bribery. No effectual remedy had yet been proposed, and he asked if the House were disposed to sit down quietly, with the feeling at present existing in the country that they were not disposed to check bribery. The public believed that hon. Members were averse to adopt a remedy, that they were not desirous of doing that which was necessary to purify this House, and that if they singled out a few victims for punishment their consciences were satisfied. Let there be an extension of the suffrage, let them adopt the vote by ballot, and a stringent act against bribery and corruption, then address the Queen to dissolve Parliament, and go to a new election, and the country would be satisfied.

Mr. *Escott* thought the hon. Member for Montrose had furnished the key by which he and other hon. Members hoped to accomplish their object of altering the constitution, and that was to diminish the confidence of the public in Parliament. The reason given by the hon. Member for Worcester against prosecuting persons for bribery was, that bribery was so common. In that opinion he did not agree, but he took the same view of the question as the right hon. Gentleman and the Solicitor-general. The hon. and learned Member for Bath had stated that there were instances of Members of this House having been returned by bribery, and he would endeavour to purify the assembly and remove the stain attaching to it; but he did not think that object was to be effected by the proposition of the right hon. Member for Montgomery. Could not the two committees on the Southampton and Ipswich elections tell who had been guilty of bribery. Surely nothing would be easier than to get from the committees, which had declared that the last elections for these boroughs were void on the ground of bribery, who those individuals were who had received and paid the bribes. And he wanted to know why the right hon. Gentleman, in framing the motion, had not framed it with a view to the prosecution of the individuals who must have been proved before those committees to have been guilty of bribery. If the motion had been so framed, he should have given it his support; but as it was framed in so general a way, without knowing who the Attorney-general was to prosecute, he must give it his opposition.

Mr. *Bernal* said, the misfortune of such a motion as this was, that it led to a discussion upon bribery in general, instead of confining their deliberations, as it ought, to the important matter before the House. For his own part, he thought it was quite useless to agitate the House on the general subject. He feared it was not so much the Members of that House as the electoral bodies who were tainted with corruption. He did believe that the constituent bodies were not sufficiently alive to the sacred character of the trust reposed in them by the act which gave them the power of electing representatives. It was the duty of the House to endeavour to cure this fault by kindling a better feeling among the electors. This, however, was scarcely the best way to set about their task. Indeed, he could not disguise from himself that the motion before them was wholly insufficient to act as a check upon bribery. If they would effect that desirable end, they must probe the very root of the system. They must set to work and repeal past laws and enact new ordinances capable to meet the practice in all its ramifications. At present the laws were all but inoperative for the prevention of bribery. Let them take an instance in point from the law against the distribution of election ribands. It was well known that formerly immense sums were spent by candidates in giving ribands to their Friends. Many candidates had spent as much as 800*l.* at a time in the distribution of these favours; or rather in taking off the old stocks of the riband manufacturers, who, it was notorious, dyed and made up their old and dirty ribands for electioneering purposes. Well, a very salutary law was passed to prevent the use of these ribands, but the statute was wholly inoperative. And why? Simply because the drawer of the bill forgot to insert a provision giving costs to the prosecutor, so that no one would attempt to put down the system, because he was certain of being called upon to pay for it. Then, when they talked of bribery, what did they say of treating? Treating had been determined to be bribery in another form, but he would venture to say that there was not at the present day a committee to be collected in the House who could draw the line between the legitimate and illegitimate treating. The fact was, that bribery and treating were looked on throughout the country just as smuggling and poaching were regarded by a certain class of the population. People said, "There is no moral offence in these practices; the acts to put them down are tyrannical—let us combine to render them ineffectual." There was no Member probably in the House who had not proved these facts in the course of his own experience. If people did not want to be bribed in one way, they required to be bribed in another. Every one knew that constituents were constantly coming to Members and applying for places, or some other favour, saying, "Sir, I served you, now you must serve me." It was for the House to inculcate the salutary maxim, that a vote given in the administration of a great political trust was not to be looked on as a personal or party service. He would not undertake to say what steps they ought to take to enforce this salutary doctrine; but it was clear that something they must do. Whether they were to aim at increasing the education of the people, or to endeavour to show, by their own conduct, that they were acting on patriotic and not on party principles, what remedial measures they were to take, he did not know, and would not attempt to determine; but he was sure, if something was not done, and that very speedily, no one would believe that they were serious in the condemnation or anxious to put a stop to the practice.

Mr. *Wakley*, since he had sat in that House, had heard more debates on this, perhaps, than on any other subject. He was always hearing Members expressing an anxiety to put an end to such immoral practices, but he could not find what they had done to insure a practical remedy. In fact, the evil arose out of that assembly itself. It was an evil of the law under which elections took place, that bribery, intimidation, and treating prevailed. Why, they began with money, and it was nothing but money throughout. They established qualifications of 300*l.* for one class of representatives, and 600*l.* for another, estimating the value of a man, in fact, not by his worth or attainments, but by his cash in hand. They carried the same principle down to the constituent bodies. They said to one, you shall have a vote because you hold a house at a rental of 10*l.* a-year, to another you shall not have a vote because you only pay 9*l.* 10*s.* So long as such a system continued, bribery would prevail, and let him tell them, intimidation would prevail too, so long as they refused the voter an adequate protection against those who had the power to coerce him. They knew well enough that the richer men would influence their tenants. They knew that a 50*l.* tenant at will must vote as his landlord desired him— that money would have its power—that wealth would have its sway, and would exercise its influence over the result of a contest. What a mockery was it, then, to say that they disliked corruption, when they knew that so long as they continued the system so long the practice would exist. He was satisfied that whilst they refused an extension of the suffrage, a re-distribution of the suffrage, and the protection of the ballot, so long would all they did be regarded as a delusion on the public, and a perfect mockery in the face of the people.

Sir *R. H. Inglis* was surprised to find, from what had fallen from the hon. Member, that he had so soon forgotten all the benefits that were to accrue from the Reform Bill of ten years since—from that glorious measure which was to make our constituencies miracles of purity—to render our elective system bright and radiant in the eyes of the whole world—which was, in fact, to change England into a perfect Utopia. With such a glorious system in operation, against what was the hon. Member vociferating? The hon. Member for Weymouth had, in his observations, furnished the House with materials for thinking, and not for acting. It would be well to ascertain distinctly what was to be considered a bribe. A bribe depended much upon the relative position of the parties offering or accepting it. In some instances an invitation might be considered a bribe; in others an appointment to a commissionership, a tide-waitership, or some other office. In his opinion, bribery consisted in corrupt motive, and anything was a bribe which had the effect of inducing a man to vote against his conscience. But how was a knowledge of this to be acquired? It might not be difficult to trace a *5l.* note hidden under a plate, but how were they to trace other inducements which were not of so tangible a nature? As regarded the motion before the House, he concurred with the high legal authorities who had spoken upon the subject, that to press it on would be highly inexpedient.

Mr. *Williams Wynn* said, that as the feeling of the House seemed to be against him, he would not press the motion, notwithstanding that the committee had made their report upon good grounds, and such as warranted him in bringing the subject before the House. It had been said, that in cases like the present it would be idle to proceed against individuals, but it appeared to him that it was only by such proceedings the law could be vindicated. Where was the use of passing acts of Parliament unless means were taken to enforce them.

Motion withdrawn.

NEW WRIT FOR IPSWICH.] Colonel *Rushbrooke* moved that Mr. Speaker do issue his warrant to the Clerk of the Crown to make out a new writ for the borough of Ipswich.

Mr. *Hume* did not think it was expedient to proceed with the motion after an intention had been expressed of providing some remedial measure to meet the abuses which had been practised in that borough. The committee had come to the conclusion that Messrs. Wason and Rennie had not been duly elected—that they by their agents had been guilty of bribery—that from the evidence given before the committee the existence of an extensive system of bribery had been proved, and the report recommended that the new writ should be suspended until the evidence was printed and submitted to the consideration of the House. Under these circumstances he thought hon. Members would not stand well with themselves in agreeing to issue a new writ. The three last elections for Ipswich had fully proved the corrupt state of the borough. He trusted there would be no objection to allow the writ to stand over for three weeks or a month, within which time the noble Lord (Lord John Russell) would have brought forward his bill, and the committee appointed on the motion of the hon. Member for Bath would have made their report. He should move as an amendment, "That the debate be adjourned to this day month."

Sir *R. Peel* said, he did not see sufficient reason for resisting the issue of this writ. He wished to punish individual voters who might be proved guilty of bribery, but he thought it would be unjust to punish the whole constituency of a borough for the crime of a portion of them. He did not think it a good precedent to establish, to suspend the issue of the writ on the mere ground that an individual Member of the House had given notice of his intention to bring in a bill for the prevention of bribery. The evidence in the case was not, in his opinion, sufficient to warrant them in interfering with the constitutional right of the electors to have a new writ issued at the earliest possible period.

Lord *J. Russell* thought it a matter of very great doubt whether they ought to suspend the writ in this instance. Although it was certainly a strong power to use, yet it had been used in several instances shortly after the revolution, as well as in the well known Sheppard case. His opinion was, that an inquiry ought to be instituted by the House in cases where bribery and corruption were alleged to have been employed, and where the parties did not chose to go to the expense of an election committee. In such circumstancs it would be right to suspend the writ pending the inquiry.

Mr. *C. Buller* begged the House would consider for a moment the consequences of immediately issuing the writ in this case. In Nottingham, Reading, and other cases, there was a suspicion that bribery had prevailed. Hon. Members immediately said, "God bless us, only think that there have been persons bribing—we never heard of such a thing before," and the House suspended these writs, on suspicion of bribery. Then came a case in which there was not mere suspicion, and in which an actual conviction for bribery had taken place, in which a committee appointed by the House declared that there had been extensive bribery. The House immediately said to the guilty parties, "You are not merely suspected, but proved to be guilty; you shall have a writ, and go on with your election immediately." What was this but for the House of Commons to say to the convicted bribers "Carry on your old tricks, you have been found guilty, go and do the same thing again. We invite competition on the part of men with large fortunes to corrupt this corruptible constituency again." It was, in fact, saying that all the inquiries as to bribery were nothing but solemn farces,—that an inquiry might be made, but nothing more would be done. He was really astonished that the right hon. Baronet (Sir R. Peel), who took such a common sense and practical view of this subject, should have been led away by the ordinary old fashioned compunction felt for those interesting boroughs, which abused their electoral privileges so grossly as to lead to a vacancy in the representation. [An hon. *Member*: The bribery was managed by the agents.] Why, of course. Was there ever a briber without a bribee? It did not appear that the bribes had been offered to indignant virtue; or that the electors of Ipswich had scornfully rejected them. The amount of bribes detected was limited only by the forms of the House preventing the inquiry being carried on. If the House wished to give the public any proof of being in earnest about this matter they ought not to give to a constituency which had been found guilty of gross and extensive bribery the opportunity of repeating the crime. He thought the just course would be at least, to wait till a bill was passed which would throw new difficulties in the way of the bribers.

Mr. *Wakley* said, he had never been more surprised than at the declaration of the right hon. Baronet. He had always thought that the right hon. Baronet was perfectly sincere in the propositions he had made of a desire to put down bribery, of which the present case offered so fearful an example. Could anything be more pernicious, anything more preposterous, than to issue a writ to this borough under the circumstances in which it was now placed? The committee reported that extensive bribery had prevailed in the borough of Ipswich, and unanimously recommended that this writ should be suspended until the House should take the subject into consideration. What consideration had the House bestowed on the subject? What proceedings had been adopted by the House in consequence of the report made by the committee? Was the House now about to show the hypocrisy of all its professions by re-issuing the writ to those most guilty parties, and giving them full license to perpetrate all the iniquities they had so recently committed? If the House did issue the writ, he hoped they would hear no more of the anxiety of the majority to put down the practices of bribery. He was sure the hon. Member for Oxford would vote with his hon. Friend (Mr. Hume) on this occasion, and that he would give his virtuous vote for the punishment of bribery. His belief was that there was sufficient evidence before the House to suspend the writ permanently, and that it would be a proper example to deprive this borough of the power of abusing its privileges for the future. Then, if that was true, could they object to suspend the writ for a month? Were they prepared to vote for a motion to suspend it permanently? If he made such a motion would the right hon. Baronet give it his support? He hoped the House would take some step showing that they were sincere in their wish to get rid of those disgraceful and immoral practices, which were lowering the character of the House and destroying the utility of its legislation.

Sir *R. Inglis* said, the report of the committee was limited to his recommendation, that the writ should not be issued until the evidence was laid on the Table of the House. [Mr. *Wakley:* Taken into consideration.] The hon. Member seemed to suppose that the evidence could not be taken into consideration without a motion being formally made in the House, and a vote taken on the subject. If there were evidence sufficient to warrant a disfranchisement of the borough, let that be done; but if the committee did not recommend that, and if they felt that such a proceeding would be unjust, let the writ be issued.

Mr. *Roebuck* thought that the hon. Baronet had not put the matter exactly in a proper light. He wished to recall the attention of the House to the actual state of the facts as respecting the general question. At the present moment there was a general notion abroad—a notion also entertained in a great degree by that House—that a case of suspicion had been established against a large number of boroughs with respect to bribery. There had also been a general expression of opinion in the House from all parties that some immediate steps ought to be taken for the purpose of preventing the continuance of that crime in future, in order that they might obtain purity of election. At the present time it was that which was in the contemplation of the House. Four or five of these boroughs were, at the present time, under the consideration of the committee. Suspicion attached to them that bribery had been committed within their precincts. Others there were that had been already convicted of this crime by the election committee, the judicial tribunal created for the purpose of deciding upon facts of that nature. If, as the hon. and learned Member for Liskeard had truly stated, this writ were issued, there would be afforded the contrast of four or five boroughs, with respect to which no more than suspicion existed, in which the writs were suspended. He now came to the proposition of the hon. Baronet opposite, who accused the House of waiting three weeks without passing or moving anything. Now, he submitted that this was hardly a fair way of stating the case. The House was at the present moment considering the question. The House wished to understand the question thoroughly, that they might be enable to fashion such a measure as would have the effect of preventing the crime. They did not wish to rush hastily to conclusions, but preferred to wait until they should, after instituting full inquiry into the circumstances, and having before them complete evidence in other cases besides that now under consideration, be enabled to frame a general and comprehensive measure. It was said that they had only to choose between two courses, either to issue the writ or to suspend it effectually. Now, in his opinion, they had yet another alternative; which was not to issue the writ, but first to take the question into consideration, and then, by-and-bye, when they had had time for deliberation, to decide concerning the issue of the writ. After the decision of the committee that gross bribery had existed at Ipswich, he could not conceive how the House could rush to the conclusion that a new writ ought to be issued. What was the view taken by that committee after hearing the evidence given before them?

"That extensive bribery had prevailed at the last election for Ipswich, and that the issuing of a new writ ought to be suspended until the same evidence should have been taken into the consideration of the House."

The writ was not to be issued until this evidence had been printed and submitted to the consideration of the House. The House then was thus requested by a judicial body to take the evidence which had now been laid before them into their serious consideration. He would ask had the House done so? No; the House had done nothing as yet upon the subject. He did not think because this report had been printed that the House would be warranted in refusing to take the whole question into its consideration. He took it that the imputation of bribery and corruption was thoroughly and clearly brought home against certain parties. He therefore entreated the House to give the subject its most grave and most serious consideration. The House should consider what was now asked of them. They were not asked to suspend the writ perpetually—no such thing. He was only asking them simply to take this evidence into their serious consideration—(An hon. Member, "We have done so.") He did not know what the hon. Member meant by saying that they had done so. He denied it. They were bound to take this evidence sent to them by the committee, so that by-and-by they might be able to frame some measure for the prevention of such crimes for the future. Without further trespassing upon the patience of the House, he believed that the wisest and most judicious course for them to pursue would be to do what the committee required of them, and that was to take into consideration the whole of this very difficult subject, and not to come too hastily to any conclusion, but from the cases of convicted bribery and corruption which they had before them to frame some legislative enactment which would effectually put a stop to it. They then could issue their writ under their newly-acquired safe-guards for the purity of election.

Mr. *W. D. Christie* wished to mention another subject connected with the history of this Ipswich inquiry, of the importance of which he might certainly make a wrong estimate. Considerable importance, however, he thought should be attached to it. In the newspapers certain statements connected with this election had been authenticated by the signatures of the two late Members, which showed the attempt which had been made during the progress of the inquiry before the committee to compromise the business, by one of the two sitting members consenting to accept of the Chiltern Hundreds, and thereby allow the prosecuting party to take a seat in this House unopposed. It appeared by those letters that two proposals were mentioned—one, before the inquiry, by the election committee, and the other during the progress of the inquiry It was there distinctly stated that the seat to be vacated should be that of the Member against whom the charge of personal bribery could be proved. It appeared to him, and he offered his opinion with the greatest diffidence and humility, that if the House thought fit to treat any compromise of this nature, entered into for the purpose of screening an hon. Member from the charge of bribery and corruption, as a breach of the privileges of this House, the House could not by any means neglect to take notice of the attempt in this case to commit such a misdemeanor. He thought that this attempt to screen a charge of bribery was, in fact, an attempt to screen a breach of the privileges of this House. The form of proceedings before this committee would not admit of a more thorough investigation than had already taken place. In supporting the motion which had been made by the hon. Member for Montrose, he must say that he would have been most happy to have supported a motion for having this case referred to the committee which had been obtained by the hon. and learned Member for Bath. There might not as yet have been evidence sufficient to warrant the introduction of a bill for the disfranchisement of the borough, but he thought that there was amply sufficient evidence to warrant a further inquiry into the circumstances connected with the Ipswich election. If even no notice of this motion had been previously given, if even as the hon. Gentleman the Member for the University of Oxford had expressed it, there was no announcement given of any definite proposal, he could not see how the House could do wrong by consenting to an indefinite suspension of this writ. In reference to the remark of the right hon. Baronet (Sir Robert Peel) when this question was at a former time under discussion, he with the greatest deference and respect to that right hon. Gentleman, begged leave to differ from him. He should be disposed to consider the electoral franchise rather in the light of a duty than a right, and he should be slow to admit that the absence of representation was a greater evil than misrepresentation. He thought that the presence of two Gentlemen in this House who gained their seats by such corrupt practices, and who called themselves the representatives of the people, was one of the greatest evils which the country could labour under, so far as these persons were concerned, for, instead of speaking the wishes of their constituencies, they were misrepresenting the party that were supposed to have sent them there.

The *Chancellor of the Exchequer* thought that in a matter of this nature the House ought not to proceed on a mere denunciation against bribery. The question was, on what footing was it expedient that the House should interfere to prevent a town from sending members to that House—on what footing should they put the power of the House to interfere. He could not agree with the sentiments expressed by the hon. Gentleman the Member for Bath. The arguments of that hon. Gentleman went to establish the principle, that because there was a general notion afloat of the existence of cases of suspicion in several boroughs in the country, that therefore, in the case of this particular borough, they should withhold the writ. What he proposed was, that they should not depart from the principle to which Parliament had hitherto adhered, of having before it a definite case, upon which the House had taken proceedings to disfranchise a borough, or a case, the inquiry into which would be likely to lead to disfranchisement, before they should decide upon suspending the writ. Such were the limits within which the proceedings of Parliament in such cases, as regarded the issuing of writs, were confined; and these were the limits they ought not to go beyond. It had been said, "You have cause for suspicion against Ipswich, nay more, you have the report of the committee—the decision of the committee." That report only applied to the seats of the Members in this House; but the committee had recommended the suspension of the writ until the evidence of the case was printed and laid before the House. The report had now been on the Table for nearly a month, but no hon. Member seemed to think that the case was of such a nature as to warrant a disfranchisement of the borough. The only motion that had been made in direct reference to it was that of the right hon. Member for Montgomeryshire, who moved for the prosecution of certain individuals. The House seemed, however, to think that such a course was not a proper one to be pursued. By agreeing to further delay of the writ, the House would seem to have the idea that it was better to have no representative at all than one not quite satisfactory. On these grounds he thought that it would be establishing a dangerous precedent to adopt the course proposed by the hon. Member for Montrose, and therefore, although he was aware that his motives might be liable to misconstruction, feeling as he did that there could be nothing more dangerous than to exercise the power they possessed of excluding the representatives of large bodies of constituents on a vague plea of general bribery, he should certainly vote against the amendment. If bribery was so prevalent at Ipswich as had been represented, any bribery that might be committed at the ensuing election would be open to the investigation of a committee of that House to censure and to punishment. The hon. Member opposite, the Member for Weymouth (Mr. Christie) had adverted to some correspondence between the late Member for Ipswich relative to a compromise with the unsuccessful candidates. Whence the hon. Member derived that information, or on what grounds his statement was made he knew not; but he could undertake to say, on the part of a right hon. Friend of his, who was one of the candidates, that he was no party to any such proceedings, either as regarded the petition or the alleged compromise.

Mr. *O' Connell* said, there was a clear ground, independent of what had been said, for continuing the suspension of the writ. See how the case had come before the House; Ipswich had been convicted of bribery, extensive bribery, and not for the first time either. It had been previously convicted, and the Members had been unseated during his recollection. Here then was a conviction on the clearest evidence of extensive bribery, but let the House recollect this extensive bribery was proved of only one party in Ipswich, for the petition in this instance was not a petition from the defeated candidates, praying for the seats. But they took care not to come before the House; and could not the House see that there were certain motives for their conduct? The course they had adopted was quite consistent with their guilt. The investigation had, therefore, been only partial, because the committee had been shut out from taking into consideration the whole case. Now it remained to be seen whether the opposite party had not been equally guilty of bribery, and that could be effected by a motion for a committee to inquire into the bribery in general, and if no other hon. Member brought forward such a motion, he would himself, if the writ should be suspended, move for a committee to make further inquiries, and he now called for the present suspension of the writ, in order that an opportunity should be given for the discussion of that motion. Perjury was too often in cases of bribery mingled with it, and the investigation should be co-extensive with the constituency. Was not there ample grounds for such an inquiry? Were not the sitting Members to go into the case, and prove bribery against their opponents? That could be shown from the evidence, and there was a strong *prima facie* case made out. But if the House refused to suspend the writ, that would be refusing his committee, and what would be the judgment of the public? This was not a case of mere suspicion, but of downright conviction, and it might be carried out to the full extent of the constituency. It was not confined to one party, for the witnesses in their examination showed that such was the propensity to receive bribes, that bribery was proceeded with in the public streets. The case was pregnant with the greatest suspicion—it was a full conviction of many, and was it such a system, one for the House to throw its shield over, while they talked of their antipathy to bribery and their horror of perjury? If the House did not suspend the writ, it would get credit for neither the one nor the other. He trusted, therefore, the House would allow the writ to be suspended, and leave the case for the committee of inquiry.

Mr. *Darby* said, that with reference to the statements made by the hon. Member for Weymouth, with respect to certain alleged offers of compromise during the recent proceedings before the committee, the petitioners were not candidates, they were electors, and, therefore, no compromise could be made between those parties.

The hon. Member for Bath had been talking of what the committee meant, but he could assure the House that what the committee felt was, the evidence was not sufficient to warrant them in recommending the disfranchisement of the borough. But the committee had not taken the responsibility upon itself, and they wished, that the House should examine the evidence, and judge for itself, before the writ should be issued. Such were the wishes and the intentions of the committee. He would further say, that as far as he could collect the opinions of the committee, that its Members had determined to take no further part in suspending or obtaining the writ. The committee did not think, that the writ would be suspended, until after the general measure for the prevention of bribery should have been introduced.

Mr. *Aglionby* said, as many hon. Members of that House had expressed their detestation of the system of bribery, he hoped they would be found voting for the suspension of this writ. He could not conceive how this could be considered a party question. What possible party motives could he have in voting for the suspension of this writ? Ipswich returned two Members who sat on his side of the House, and they could not tell that at the next election, Members entertaining similar sentiments, might not be returned. He mentioned this circumstance to show, that this was not a party question. His reason for voting for the suspension of this writ was, that he entertained a detestation of bribery, and was determined to do all in his power to put it down, and he thought an opportunity was afforded, on this occasion, of discountenancing the system. He thought the Chairman of the committee ought to have been the person to have moved for a new writ, and the reason he had not done so was, that the Chairman thought the evdence did not justify him in moving for a new writ. But one side alone of the evidence as to bribery had been reported to the House; would any one suppose that the other side was pure? There was, therefore, he said, a case for inquiry. They were treading on dangerous ground, and tampering with the feelings of the public; they were expressing opinions which did not correspond with their conduct. The more they endeavoured to prevent inquiry, and persisted in giving Members to boroughs convicted of bribery, the more they would be condemned by the country at large. He did not think, that the evidence made out a case for disfranchisement, but it was a case for inquiry how far bribery did prevail in that borough over and above what had been proved. Means ought to be adopted to put an end to this system, which not only sent false Members to Parliament, but demoralized the country.

Lord *Stanley* must take the liberty of saying, that he was as little connected as the hon. and learned Member who had just spoken with the borough of Ipswich. He must also take the liberty of saying, that it was very possible that the result of the new writ might be, not the return of Members with whom he was politically connected, but the return of Members connected by politics with that part of the House in which the hon. and learned Member sat. And if that hon. Member took credit that he and those who voted with him had no political motive for supporting the motion for a new writ, they (the Conservatives) might take the same credit, when, as the hon. Member said, the new return might result in the return probably of Members of the same political principles as the last. [Mr. *Aglionby:* I said I knew nothing about it.] The presumption was, that the opinion of the town would remain unchanged, and consequently the hon. and learned Gentleman could not suppose that he had any political motive in not opposing the motion for issuing the writ. But what he did claim from the House was this—that it would not presume those to be guilty of whom it had what the hon. Member for Bath called "a general notion of a very extensive suspicion" of guilt. "But," said the hon. and learned Gentleman, "you ought to suspend the issuing of the writ." For how long? For what purpose? To any definite extent? ["One month!"] But why one month? They had suspended it one month already. They would suspend it for one month more, and what did they mean by it? ["There was a notice of a motion."] Yes, now when the issuing of the writ was moved for; but why had that motion not been moved before; Was it because the House was not satisfied with the charge against the borough till now? But the hon. and learned Member thought there were no grounds for disfranchising the borough, though the case had been taken up by the committee. There was some discrepancy between the third and fourth resolutions come to by the committee. The first was,—

"That the evidence be taken into the consideration of the House."

And the other was,—

"That a new writ be not issued till the evidence be printed and considered by the House."

The chairman had stated, that it was not his intention, nor the intention of any Member of the committee to take any further steps; but, on the contrary, that neither he nor any Member of the committee meant to oppose the re-issuing of the writ. The writ had been suspended on the recommendation of the committee, and had remained suspended for one month; and on that point, all sides of the House were agreed, on the discussion of the motion of the hon. and learned Member for Bath, that they should search and investigate into the cases of bribery, and take remedies for the future, but that in the mean time they should not interfere longer than was absolutely necessary for the purpose of suspending the writ, and preventing the borough being represented. The hon. Member for Bath brought forward his motion for inquiry into certain elections in which there were grave cases of suspicion. Why had he not extended his inquiry to Ipswich? [" There was no compromise."] No, there was no compromise; but the hon. and learned Gentleman had made an addition to the substance of his motion; he had added an inquiry whether bribery had taken place in certain boroughs. Why, therefore, had he not included Ipswich? Why had not the hon. and learned Gentleman, who had acted as inquisitor-general, and who had acted as such very indiscriminately, and he must say very impartially, why had he not moved that Ipswich should be included? But the hon. and learned Gentleman had done no such thing, but had distinctly laid down the principle that while they were inquiring into the elections of these boroughs, they should take especial care that they did not deprive them of representation in the mean time. But, an hon. Member said, they had suspended the representation of five or six boroughs in the mean time. They had done no such thing; the other boroughs were all enjoying full representation. The Members for Southampton, Lewes, Reading, and Nottingham, were not labouring under suspension, or prevented from taking part in the discussions of the House. No; pending the inquiry, the boroughs were considered innocent. They admitted, that they would inquire into the circumstances of the guilt or innocence of the boroughs, but till convicted they should be considered innocent, and have a right to be represented in Parliament. Why did they propose to take a different course where a borough had not been convicted, but where they themselves said, that there was no ground in the evidence for disfranchising the borough? If there were no grounds for that, there was no ground for holding the borough convicted of wholesale bribery, and suspending the writ. Let them inquire if they pleased into the bribery at Ipswich. His right hon. Friend, the Member for Montgomeryshire, had asked them to inquire, and to do more—he had asked the Attorney-general to prosecute individuals supposed to be guilty of bribery. The House had refused to accede to this, and his right hon. Friend had withdrawn his motion. Upon the same evidence that they admitted there were no grounds for disfranchising the borough, they admitted that it was a great social and political evil that the writ for the borough should be indefinitely suspended, and should thereby be deprived of its representation before it was convicted of a Parliamentary offence. Unless they subverted all the principles of the English law, they could not condemn before they had convicted. Let them inquire if they pleased, but in the mean time permit this borough to exercise its franchise, of which they were unjustly depriving it by an indefinite suspension of the writ.

Mr. *Hawes* said, upon the statement of an individual Member of the House they had agreed, not only to suspend the writ in the case of Nottingham, but to institute an inquiry. What was the case of Ipswich—a borough convicted the second time? Upon its second conviction, they refused even to suspend the writ, whereas with regard to the borough of Nottingham, upon the simple assertion of a Member of that House, who stated that he believed there had been gross bribery there, they suspended the writ for Nottingham. He asked, on what principle they could justify the suspension with regard to Nottingham, and not suspend the writ issuing for Ipswich, a second time convicted? But it ought not to be suspended during inquiry. To be consistent, the House ought to let all the suspended writs issue while the inquiry took place? The right hon. Gentleman, the Chancellor of the Exchequer, seemed to fear for the constitution if they refused to issue this writ. They would in vain hope to oppose the progress of bribery if on occasions like this they shrank from its investigation. It had been well put by the hon. Member for Weymouth that a new writ should not issue, because the constituents were corrupt. He thought, unless the House were prepared—and the House did not dare to take that step—to revoke the order made on the motion of his hon. and learned Friend, the Member for Bath, they would be acting a most inconsistent part in now refusing to suspend this writ during this inquiry. They had the pledge of the hon. Member for Cork that he would move for the inquiry. What difference was there between the cases of Nottingham and Ipswich? He left out of view all the other boroughs. The two cases were perfectly coincident; and he should think the House grossly inconsistent, if, in the case of Ipswich, they refused to inquire into the bribery, and issued the writ, having taken an opposite course with regard to Nottingham.

Mr. *H. Hinde* should vote for the issuing of the writ, because, in this case, no inquiry had been proposed, and had not been thought necessary.

Sir *T. Wilde* said, although he was certain that no man was more anxious to put down bribery than the right hon. Baronet, he could not agree with him in the case he had urged. The case appeared to stand on peculiar ground. It was first of all stated, that the borough of Ipswich had a right to have its representatives in that House, but the country also had its rights as well as the borough of Ipswich; and although he admitted that no writ should be stayed on light grounds, he by no means agreed with any Gentleman in saying that the present case presented light grounds. He should be glad to know what hon. Gentlemen thought a proper case for suspending a writ, for he could not believe that they would be able to state any grounds or principles which would not justify a suspension of the writ on this occasion. What length of time the suspension might occupy whilst the inquiry lasted no one could state. If the inquiry were prolonged for an indefinite period, was that a reason why it should not take place at all? What, then, were the grounds on which they were proceeding? The House had thought it right to grant a committee of inquiry into certain corrupt compromises alleged to have been entered into in order to prevent investigations into bribery, and that committee had been appointed on the statement by an hon. Member of his suspicions. In the case of Nottingham they had been compelled to act. What had they done? Suspended the writ. In other cases they had acted consistently, by refusing to act until the case should be ascertained by an inquiry. In the case of Nottingham, then, they had suspended the writ—first, because they had reason to think that a corrupt compromise to conceal bribery had been entered into; and, secondly, that there was bribery to conceal. Would, then, the House agree to suspend a writ on the suspicion of an hon. Member that a compromise had been entered into, and would they not suspend the writ on the report of a committee of the House, upon oath, that bribery had been committed? He prayed hon. Members to attend to the terms of the report. The committee reported that they were satisfied that extensive bribery had taken place. If hon. Members said, "We know not the extent of the bribery," that was because the committee were prevented from going into the extent of it. But what kind of argument was this, or what argument of any kind was worth a moment's consideration, or could be of force in the case, when they were told that a borough which had been convicted before was convicted again of extensive bribery? Was it to be said, then, that in face of a report founded not on suspicion, but on evidence, and made on the oath of Members of the House, the House was, nevertheless, impatient to issue the writ? In such case ought not a prosecution for bribery immediately to take place? It ought to be considered that the committee had already found that on one side extensive bribery had been practised. Why not inquire into the practice on the other side? If the House refused this, would it be decent to send down the writ to a constituency who were proved to be so corrupt? It was said, no inquiry had been moved for; but that was the duty of the Government, if of anybody. On the 3rd of May the papers had been laid on the Table, and here was the 26th. But what had been done since? They had had the holidays, they had in fact little more than a fortnight in which anything could have been done, and then the first Member that brought forward the matter at all, brought it forward as a motion for issuing the writ. But he would say, that it was not the duty of one Member more than another; it was the duty of every Member, if it were not the duty of the Government. The House had not done their duty; he felt that he himself, among the rest, had not done his duty; but was the country to be stopped because they had neglected their duty? What was the value of such an argument? Surely, if they had hitherto neglected their duty, that was the more reason why they should perform it that evening. If he in common with other Members had neglected their duty, that was not a reason why a writ should issue to a corrupt constituency. The committee had reported that bribery was found extensively to prevail in the borough. Surely the House ought not to send a new writ without inquiry into the extent of the bribery so found. The House had no pretence for doubt or difficulty in the case; they had a conviction before them; it was upon record; and the only ground for opposing inquiry was, lest it should lead to such disclosures as would oblige the House to stay the writ. He would say, that if the House, with the knowledge that bribery prevailed in this borough, sent down this writ, it would be idle and ridiculous to appoint committees in future to investigate and report upon bribery. In the name of the country he called upon the House to stay this writ until an inquiry into the alleged corruption could be gone into, with a view, in the event of its proving necessary, of disfranchising the borough.

Mr. *R. Yorke* said, (amidst considerable interruption) that he seldom ventured to address the House, and never at any length, but he warned those who heard him, or rather who seemed unwilling to hear him. that if they did not now do him justice by listening to him for a few minutes, he would do them justice hereafter by visiting them with a few tedious specimens of his oratorical powers. The right hon. Baronet (Sir R. Peel) was responsible for the odium of these discussions, for in October last he had himself declared that wholesale and enormous bribery had been committed in all parts of the country, and that for the character of the House, it was absolutely necessary that examples should be made when any information upon the subject came to its knowledge. He believed, that at the time the right hon. Baronet was speaking in good faith, and if anything could make him doubt it, it was the course he had adopted that night. The right hon. Gentleman, like a good tactician, had made an apostrophe in favour of his own majority when charges were made against them. He did not wish to say that the majority of the right hon. Baronet was essentially corrupt; but he must say, flatly and plainly, that he believed all sides of the House to be generally tainted. He believed it from the evidence he had himself with much pain acquired, and from the evidence of the right hon. Baronet himself. And strong as the right hon. Baronet was in executive power, he must, without any disrespect, and yet most distinctly, say, that after the declaration the right hon. Gentleman had made in October last, if he were not the respectable man he knew him to be, he had acted disgracefully in not having himself taken a large, comprehensive, and radical initiative, consistently with the principles he was now acting on in putting down corruption.

Mr. *B. Ferrand* would merely observe, that there was a general rumour abroad, that the hon. Member who had last addressed the House had spent several thousands of pounds in corrupting the electors of the city of York.

Mr. *R. Yorke* was religiously in earnest *(Laughter)*—he was really and religiously in earnest. He was sorry that religious allusions were so offensive to hon. Gentlemen opposite; but he was religiously in earnest, and desirous of purifying the House; and if the circumstances connected with the election for the city of York, whether in reference to himself or to his hon. Colleague, were to be made subject of inquiry in that House, he would individually lend the House every possible assistance in his power; and, furthermore, for the purpose of purifying that House, which was much wanted, if the country would guarantee that purity would be effected by his so doing, he would apply for the Chiltern Hundreds to-morrow.

Mr. *Williams Wynn* said, that if this question rested upon the original motion, of suspending the writ for an indefinite period, without any notice having been given for bringing forward a motion for a further inquiry, he would certainly declare that the writ ought to issue. He did not think that the House would do its duty by suspending the writ, unless it were in cases where it was in contemplation to adopt some legislative measures, or to institute a minute inquiry. If upon the motion he had made that night, any hon. Gentleman had stated his readiness to carry the inquiry further, he would certainly have given way; and it seemed to him that the House could not consistently adopt any other course under the notice given by the right hon. and learned Gentleman the Member for Cork of an immediate inquiry, which was not to depend on any others, than to suspend the writ in the mean time.

Colonel *Rushbrooke* replied. When he moved the writ, he did it under the expectation that there would be no opposition and he had not therefore stated fully the grounds why he saw no reason for its further suspension, the committee had not recommended any disfranchisement, they had confined themselves to moving that the minutes of evidence should be printed, and a month had elapsed, during which no motion had been made or any steps taken.

The House divided, on the question that the debate be now adjourned:—Ayes 107; Noes 126: Majority 19.

List of the Ayes.

Acland, Sir T. D.
Aglionby, H. A.
Ainsworth, P.
Aldam, W.
Bannerman, A.
Barnard, E. G.
Bellew, R. M.
Berkeley, hon. Capt.
Bernal, R.
Bodkin, J. J.
Bowes, J.
Bowring, Dr.
Brodie, W. B.
Brooke, Sir A. B.
Brotherton, J.
Browne, hon. W.
Busfeild, W.
Butler, hon. Col.
Byng, G.
Carew, hon. R. S.
Cavendish, hn. G. H.
Chapman, B.
Childers, J. W.
Christie, W. D.
Cobden, R.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Currie, R.
Dashwood, G. H.
Denison, J. E.
Dickinson, F. H.
Drax, J. S. W. E.
Duncan, G.
Duncombe, T. S.
Elphinstone, H.
Escott, B.
Esmonde, Sir T.
Evans, W.
Fielden, J.
Fitzroy, Lord C.
Forster, M.
Gibson, T. M.
Gill, T.
Granger, T. C.
Hamilton, J. H.
Hanmer, Sir J.
Hardy, J.
Hastie, A.
Hay, Sir A. L.
Hayes, Sir E.
Hayter, W. G.
Heron, Sir R.
Howard, hn. C. W. G.
Howard, hon. E. G. G.
Hutt, W.
Johnston, A.
Labouchere, rt. hon. H.
Lambton, H.
Macaulay, rt. hn. T. B.
Mangles, R. D.
Manners, Lord J.
Marjoribanks, S.
Marshall, W.
Marsland, H.
Maule, rt. hon. F.
Morris, D.
Morison, General
Murphy, F. S.
Napier, Sir C.
O'Brien, W. S.
O'Connell, D.
O'Connell, M. J.
O'Connell, J.
O'Conor, D.
Palmerston, Visct.
Plumridge, Capt.
Protheroe, E.
Redington, T. N.
Rice, E. R.
Roebuck, J. A.
Russell, Lord J.
Scholefield, J.
Seymour, Lord
Smythe, hon. G.
Somers, J. P.
Somerville, Sir W. M.
Stanley, hon. W. O.
Stansfield, W. R. C.
Stanton, W. H.
Tancred, H. W.
Thornely, T.
Traill, G.
Turner, E.
Villiers, hon. C. P.
Wakley, T.
Walker, R.
Wawn, J. T.
Wemyss, Capt.
White, H.
Wilde, Sir T.
Williams, W.
Wood, B.
Wood, C.
Wynn, rt. hn. C. W. W.
Yorke, H. R.

TELLERS.

Buller, C.
Hawes, B.

List of the Noes.

Acton, Col.
Adderley, C. B.
Allix, J. P.
Antrobus, E.
Arkwright, G.
Ashley, Lord
Bagge, W.
Baillie, Col.
Baillie, H. J.
Baird, W.
Barneby, J.
Beckett, W.
Bell, M.
Bernard, Visct.
Blackstone, W. S.
Botfield, B.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Chapman, A.
Chetwode, Sir J.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Cochrane, A.
Conolly, Col.
Coote, Sir C. H.
Copeland, Ald.
Corry, rt. hon. H.
Cripps, W.
Darby, G.
Denison, E. B.
Dick, Q.
D'Israeli, B.
Dodd, G.
Eliot, Lord
Ferrand, W. B.
Fitzroy, hon. H.
Fleming, J. W.
Follett, Sir W. W.
Fremantle, Sir T.
Fuller, A. E.
Gaskell, J. Milnes
Glynne, Sir S. R.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Grant, Sir A. C.
Greenall, P.
Greene, T.
Grimsditch, T.
Grogan, E.
Hamilton, W. J.
Hampden, R.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Henley, J. W.
Hervey, Lord A.
Hinde, J. H.
Hogg, J. W.
Hornby, J.
Humphery, Ald.
Inglis, Sir R. H.
Jackson, J. D.
James, Sir W. C.
Jocelyn, Visct.
Johnson, W. G.
Kemble, H.
Knatchbull, right hon. Sir E.
Lefroy, A.

Liddell, hon. H. T.
Lincoln, Earl of
Litton, E.
Lockhart, W.
Long, W.
Lyall, G.
Lygon, hon. General
Mackenzie, T.
Mackenzie, W. F.
M'Geachy, F. A.
Mahon, Visct.
Mainwaring, T.
Marsham, Visct.
Martin, C. W.
Mitchell, T. A.
Newport, Visct.
Peel, rt. hon. Sir R.
Peel, J.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Price, R.
Pringle, A.
Pusey, P.
Reade, W. M.
Repton, G. W. J.
Richards, R.
Round, C. G.
Round, J.
Sanderson, R.
Scarlett, hon. R. C.
Scott, hon. F.
Seymour, Sir H. B.
Shaw, rt. hon. F.
Shirley, E. J.
Smith, A.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, Lord
Stewart, J.
Stuart, H.
Sutton, hon. H. M.
Tennent, J. E.
Thesiger, F.
Tollemache, J.
Tomline, G.
Trevor, hon. G. R.
Trollope, Sir J.
Verner, Col.
Waddington, H. S.
Walsh, Sir J. B.
Wortley, hon. J. S.
Young, J.

TELLERS.
Rushbrooke, Col.
Vere, Sir C. B.

On the original question being again put, the special report of the Ipswich election committee was read by the clerk at the Table as follows:—

"That Rigby Wason, esquire, and George Rennie, esquire, were by their agents guilty of bribery at the last election for the borough of Ipswich:"

"That this committee are of opinion, from the evidence given before them, that extensive bribery prevailed at the last election for the borough of Ipswich, and that the issuing of a new writ for the said borough ought to be suspended until the said evidence shall have been taken into consideration by the House:"

"That the chairman be requested to move, That this report, together with the evidence taken before this committee, be printed, and that the Speaker do not issue his warrant to the clerk of the Crown to make out a new writ for the electing of two burgesses to serve in this present Parliament for the said borough of Ipswich, until the said evidence shall have been printed and submitted to the House."

Mr. *O'Connell* rose, to move as an amendment, the appointment of a select committee to inquire into the bribery that had taken place in the borough of Ipswich. There were many grounds on which he now urged upon the House to agree to this motion. In the first place, Ipswich had been twice convicted of bribery, and the practice of bribery had become regularly established in that borough. In the second place, and this was with him a strong reason, the constituency of Ipswich was composed of the old freemen, and every Member of that House well knew that wherever the freemen remained who were electors before the Reform Bill, there also existed corruption and bribery. But a still stronger ground with him for adopting this proceeding lay in the report of that committee which had unseated the late sitting Members, Messrs. Wason and Rennie. He would not go into the proceedings of that committee, further than to remind the House, that while they had made such a report as to unseat the two then sitting Members, they had felt themselves precluded from going into evidence as against the petitioning candidate with respect to bribery. The point was raised in the committee, whether they should go into the evidence offered in support of the allegations of bribery against the other candidates; but the committee felt coerced and did not think that they were empowered to do so. But still there was the report of the committee distinctly asserting the existence of extensive bribery at the last election for the borough of Ipswich, and that, he contended, independently of their refusal to enter into the bribery alleged against the rival candidates, was *primâ facie* case enough to justify the present motion. He was sure he need not call the attention of the House to what they had done with regard to the Nottingham petition, nor need he do more than remind them that they had granted the hon. and learned Member for Bath a committee upon what was, after all, mere matter of report, surmise, and personal statement. His present motion did not rest upon any small ground—it rested upon the report of a committee—upon the decision of seven Members of that House. This, he apprehended, gave him a stronger hold upon the House than any which the hon. and learned Member for Bath would have had. He was sure he need not remind the House of the vast importance of such a subject, When the hon. Member for York had made use of an expression to the effect that he felt a religious earnestness in the matter, the House had been disposed to receive his remark with hilarity. He regretted that such a feeling should have arisen. A more awful subject for the immediate consideration of that House could scarcely be conceived, than this of bribery and the consequences to which it gave rise. To refuse the inquiry which he now asked for, would be to throw a shield over iniquity. Had the question arisen in ordinary times —in times when no unusual suspicion had been created on the subject of bribery in the public mind—if no suspicion had gone abroad as to the means by which the late elections generally had been carried, there might then have been some excuse for refusing this inquiry; but if it was true that the public generally were convinced that the late elections had been gained by bribery and corruption, it afforded the most forcible reason to the House for it at once proceeding to vindicate its character, and, in regard to the borough of Ipswich, ascertaining, not the existence of bribery, for that was proved, but the extent of that bribery, and the circumstances under which it had taken place. With regard to the time at which he brought the motion forward, it might be said that he ought to have made it sooner. It was on the 3rd of May, however, that the report of the committee was delivered, and since then the vacation had intervened. He did not think the lapse of time was such as in any way to prejudice the motion, and he had himself been prevented from bringing it forward earlier. The hon. and learned Member concluded by moving for the committee.

Lord *Seymour* said, he thought this motion involved the character and honour of that House, which would be at stake if they allowed bribery to go on without making any attempt to put an end to it. He had heard the right hon. Baronet at the head of her Majesty's Government express his anxious wish to put an end to bribery. Here was a clear case, and he asked the right hon. Baronet why he did not now take the opportunity that was afforded to him of putting an end to it as far as regarded the borough of Ipswich? The right hon. Baronet had told them, in long and plausible speeches, of his wish to put an end to bribery. He believed the right hon. Baronet did wish to put an end to bribery—he believed that no party in that House was interested in keeping it up; but he would much rather that the right hon. Baronet would do one practical thing towards putting an end to bribery than hear his plausible speeches on the subject. Why did not the right hon. Baronet grant the inquiry, instead of making his plausible speeches against bribery? In October last, the right hon. Baronet had told them his belief that extensive bribery prevailed throughout the country, and yet when this case of bribery at Ipswich was brought forward, what did the right hon. Baronet's Government do? Had they said one word about inquiry? No, they were perfectly silent; once for all, he would be glad to know which course the Government meant to take, whether they meant to put down bribery by plausible speeches, or by acting up to their declared wishes when cases such as this of Ipswich were brought under their notice. They must agree to this motion if they were really in earnest, and if the whole subject was not matter of collusion. That it was matter of collusion was the belief of the public out of doors—they did not think the House were in earnest in their wish to put down bribery. But he was in earnest in his wish, and he therefore wanted to know whether the right hon. Baronet would or would not avail himself of the opportunity afforded by this proposed inquiry.

Sir *R. Inglis* did not know where the noble Lord could have been during the last two or three hours, but judging from what had just fallen from him, he could not have been listening to the debate that had gone before. He had accused the Government of having been silent, when the fact was, that Cabinet Minister after Cabinet Minister had spoken. Notwithstanding what had fallen from the hon. and learned Mover, and after him from the noble Lord, he should be, for one, prepared to vote against the motion. [*Cheers.*] He must have some better argument than those cheers to induce him to change his resolution. He would state his reason why he objected to the appointment of this committee. He objected to it because, from the very nature of its constitution, it would have less weight than the regular tribunals appointed by act of Parliament for the trial of election petitions. The Members forming those committees were sworn, and the witnesses examined before them were sworn. But the committee moved for by the hon. and learned Gentleman would not be sworn, nor would the witnesses examined before it, and that committee would, literally speaking, have no power to compel the attendance of witnesses. He did not see why the question should be referred to a committee so constituted, after it had already been considered by the committee appointed to consider it under the existing law with regard to election petitions. But he objected to the motion also on the score of the long time that had elapsed since the report of the committee was originally on the Table. Since the 26th of April, when the report of the committee first came before the House, there had been ample time for the inquiry which the hon. and learned Gentleman now proposed at this advanced period to institute. No doubt the hon. and learned Gentleman could not bring the subject forward, because he was attending his duties elsewhere; but he had friends in that House who would not have been wanting to take up the question. As to the vacation having intervened, that was precisely the time in which hon. Members would have had leisure to look into the case. Believing, as he did, that even the tribunals which sat, surrounded by all the sanctions of the law proposed by his right hon. Friend, had scarcely the confidence of that House, and still less of the people out of doors, and believing that the tribunal to which the motion of the hon. and learned Gentleman would refer the question, would be still less entitled to that confidence, he should certainly oppose the hon. and learned Gentleman's amendment.

Mr. *C. Wood* said, that no one could accuse the hon. Baronet of inconsistency, because he had resisted the appointment of the committee moved for by the hon. and learned Member for Bath, and had also opposed the motion for suspending the writ for Nottingham; but he could not conceive how those who had acquiesced in the motion for inquiry, and in the suspension of the writ for Nottingham, could resist the inquiry now proposed. In the election petition against Nottingham, bribery was alleged; and so was it in the petition against the Ipswich election. Thus far the cases were similar. But the only proof the House had of bribery in the Nottingham case was the rumour and belief of the hon. and learned Member for Bath; whereas, in the case of Ipswich, they had the report of a committee, who had informed the House that bribery had prevailed in that borough to a very great extent. Those, then, who had assented to the appointment of a committee of inquiry in the Nottingham, could not with any consistency refuse to inquire into the Ipswich, case. How did her Majesty's Government intend to act with respect to the motion of the hon. Member for Berkshire, for they omitted all inquiry respecting bribery in the cases included in the motion of the hon. and learned Member for Bath? Did they mean to reverse the decision the House had already come to? If not, with what appearance of consistency could they resist an inquiry into the Ipswich case, when the existence of bribery there had been actually reported to the House by a sworn committee? If they had the slightest regard for the character of the House, and were anxious to act upon a consistent rule which the country could understand, it was impossible that those who had acquiesced in the previous motion for inquiry could now resist the amendment of the right hon. and learned Member for the city of Dublin. It might be very well for the right hon. Baronet and those who supported him to say that they were anxious to put an end to bribery, but if they were not prepared to take the first step and inquire into bribery when a case was reported to them, it seemed to him to be perfect nonsense and an absurdity to talk of taking other and ulterior measures.

Sir *R. Peel* had given his vote, the other night, for the inquiry moved for by the hon. and learned Member for Bath, and he intended to give that hon. and learned Member the assistance he might require for the purpose of making that inquiry effectual. He had voted also for the suspension of the writ in the case of Nottingham, and he did so upon this ground: the hon. and learned Gentleman charged certain Members of the House with what he called a corrupt compromise, for the purpose of preventing inquiry into bribery, and he stated that he should be able to establish certain facts, and would undertake to prove them if the House would give him the opportunity by instituting an inquiry. It was needless for him to refer to the other four cases included in the hon. and learned Gentleman's motion. In the case of Nottingham, the hon. and learned Gentleman said, it was alleged that money had been lodged, and that it had been stipulated that no opposition should be offered in the event of a vacancy of the seat, and of a new election. The hon. and learned Gentleman further stated that this allegation did not rest upon his own mere unsupported assertion, but he adduced in corroboration of the statement the fact, that although the committee had declared that the sitting Members were entitled to their seats, yet, notwithstanding this, one of the sitting Members immediately after accepted the Chiltern Hundreds, and vacated his seat. Under these circumstances the House assented to appoint the committee, and it was under these circumstances also that he gave his vote in favour of the suspension of the writ. A Member having been seated, his election having been declared a good one, and his seat having been vacated the next day, did appear to be a fact in strong confirmation of the charge of the hon. and learned Gentleman. The noble Lord opposite on that occasion expressed his intention of opposing the appointment of the committee moved for by the hon. and learned Member for Bath. No doubt the noble Lord did so from a conscientious view of the case. He had never charged the noble Lord with making plausible speeches against bribery, and then refusing all inquiry. He really thought, that if Gentlemen were permitted to take their own views, in cases of this kind, without being subjected to imputations as to their motives, it would be much the better way. With respect to this borough of Ipswich, he absolutely knew nothing about it. What the result of an election there might be, he knew not. It probably might end in the return of two Members supporting the views of hon. Gentlemen opposite, or Members who would support the views entertained by his side of the House; but surely, it was hardly necessary for him to say, that no considerations of that kind, could influence, in the slightest degree, the vote he should give. He had said from the first, that he thought the House ought to be careful how it interfered with the right of the constituencies to have representatives in that House. He made the declaration that he thought it would be a dangerous precedent for the House to interfere with the rights of the constituencies, and if they once began to exercise that power, there was no assignable limit to the abuse of it. It was a power lodged in the House to be exercised on the independent and uncontrollable authority of the House, and to be exercised, therefore, only under grave considerations, and after full reflection, as to the consequences of the precedent that might be established. Although, in the case of Ipswich, he voted for the suspension of the writ, until the sense of the House had been taken upon the motion of his right hon. Friend (Mr. W. Wynn), still he retained the opinion, that if the House acted in conformity with the principles upon which it had hitherto acted, it would not now withhold the issuing of the writ. The report of the election committee had been before the House nearly a month. It recommended the writ to be suspended, till the evidence was printed. A notice of motion for printing the evidence was given by the Chairman of the committee. Shortly after that notice, the Chairman intimated to the House, as the organ of the committee, that it was not his intention to move the suspension of the writ for the purpose of adopting further proceedings. That public notification was given to the House. Now, he had referred to the evidence, and although there was much in it which he regretted to read, yet he did not think himself justified upon that evidence to institute any measure for the disfranchisement of the borough. He presumed, that that was the understanding to which the House had come, for, notwithstanding the time that had elapsed since the opinion that was given by the Chairman of the committee, and notwithstanding no other Member of the committee had given notice of an intention to take any steps in pursuance of their report, yet it was not until this night, that a notice of a motion for an inquiry was given, and the motion made. The House, he must repeat, had had the evidence before it for three weeks. His right hon. Friend (Mr. W. Wynn) gave notice of his motion to direct the Attorney-general to prosecute. It was perfectly open to any Gentleman, when that notice was given, to have stated, that it was not a satisfactory step, and that he should move for a fresh inquiry. But no such thing was done—no such notice given. They came to-night to discuss the question whether the Attorney-general should prosecute; and the House came to the conclusion that he should not. The debate for issuing a new writ then began, and the hon. Member for Montrose (Mr. Hume) moved as an amendment, the indefinite postponement of the writ. It was intended, the hon. Member said, to bring forward a bill for the prevention of bribery, and he wished the writ to be suspended, till the fate of that bill should be known. Then the hon. and learned Member for Bath said, that he had obtained a committee for the purpose of instituting an inquiry into bribery, and that upon the result of that inquiry, the bill for the prevention of bribery must depend; that it was most material that the House should know what were the characteristics of the system of bribery so extensively carried on, and then they might found some legislative measure upon the evidence to be gained by the labours of that committee. It was, therefore, argued, that the issuing of the writ for Ipswich should be suspended until the result of that inquiry were known. Now he protested altogether against the postponement of the writ upon such grounds. He had argued that no formal notice had been given of an intention to introduce a bill to prevent bribery. The noble Lord opposite (Lord John Russell) and himself had professed a desire to co-operate in some measure for the prevention of bribery, but no measure had yet been brought before the House; it would be contrary, therefore, to all precedent, and to the uniform practice of the House, to prevent any constituent body to send representatives to the House until some legislative measure should have been brought forward and assented to by both branches of the Legislature. It was impossible for him to know what bearing any new bill might have upon the constituency of Ipswich. These were the arguments he had urged against the amendment of the hon. Member for Montrose. At a late period of the debate, the right hon. and learned Gentleman (Mr. O'Connell), feeling the pressure of these arguments, and especially as to the effect the new bill might have upon Ipswich, upon a sudden gave notice that he would move for an inquiry. He must say, that a motion for inquiry, brought forward under such circumstances, was not entitled to much weight. It would, and must appear to the country, as if the House had determined to suspend the issuing of the writ, at all events, and that every other motion for that purpose having failed, the right hon. and learned Gentleman upon the instant got up and made an extemporaneous motion for this inquiry. Such was the history of the circumstances under which the issuing of the writ had hitherto been suspended, and such were the circumstances under which the present motion for inquiry had been made. He could not vote against the motion for inquiry upon the ground stated by his hon. Friend (Sir Robert Inglis), because he had confidence in the committees of this House. He believed they were competent; but without discussing that point, it was sufficient for him to say, that he did not think the evidence taken before the Ipswich committee was sufficient to justify the House in instituting any further proceedings before the writ issued. No notice of any motion for inquiry having been given was strong presumptive proof that hon. Members did not feel that this particular case was one which could justify a suspension of the writ and the disfranchisement of the borough. To suspend the issuing of the writ upon this evidence would be contrary to the practice of the House, and would constitute a dangerous precedent, of which a majority might hereafter avail themselves, to the gross violation of justice, and to the great prejudice of the public interests. He did not deny that there was evidence of bribery. Nay, he believed that there had been bribery committed in the borough of Ipswich. He was satisfied that that was the case. He thought that the decision which the committee had come to was just; but upon the whole he did not think that sufficient ground appeared in the report to justify the House in depriving the honest portion of the constituency of that borough of their franchise. There was no evidence to show what were the comparative numbers of the bribed and unbribed. At all events he thought the danger of the precedent which the suspension of the writ would establish, would outweigh any advantage to be derived from the adoption of the motion for inquiry. He must therefore prefer the issuing of the writ to the instituting of a special inquiry, originating under such circumstances as the present motion had done.

Captain *Berkeley* hoped that the reproof which the right hon. Baronet had given by implication to the hon. Member for Knaresborough would have its due effect. The right hon. Baronet had expressed his wish that hon. Members would abstain from imputing motives, and would allow others to exercise their own judgments upon these questions. Now the hon. Member for Knaresborough had most irregularly travelled out of the debate to make a grave charge against the hon. Member for York (Mr. R. Yorke), upon a matter having no reference whatever to the subject under discussion. He hoped that the lesson read by the right hon. Baronet to the hon. Member for Knaresborough would not be lost upon him. He should vote for the suspension of the writ, because he thought the whole of the night would be completely wasted if the writ were now to issue for the borough of Ipswich.

The House divided on the original question:—Ayes 133; Noes 119: Majority 14.

List of the AYES.

Adderley, C. B.
Allix, J. P.
Antrobus, E.
Arkwright, G.
Bagge, W.
Bailey, J.
Baillie, Col.
Baillie, H. J.
Baird, W.
Balfour, J. M.
Beckett, W.
Bell, M.
Beresford, Major
Bernard, Visct.
Blackstone, W. S.
Blakemore, R.
Boldero, H. G.
Botfield, B.
Broadley, H.
Broadwood, H.
Bruce, C. L. C.
Bunbury, T.
Burrell, Sir C. M.
Campbell, Sir H.
Clayton, R. R.
Clive, hon. R. H.
Cochrane, A.
Conolly, Col.
Coote, Sir C. H.
Copeland, Ald.
Corry, rt. hon. H.
Cripps, W.
Darby, G.
Denison, E. B.
Dodd, G.
Douglas, Sir C. E.
Eliot, Lord
Farnham, E. B.
Ferrand, W. B.
Fitzroy, hon. H.
Fleming, J. W.
Follett, Sir W. W.
Fremantle Sir T.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt.hn. W.E.
Glynne, Sir S. R.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hon. sir J.
Grant, Sir A. C.
Greenall, P.
Greene, T.
Grimsditch, T.
Grimston, Visct.
Grogan, E.
Halford, H.
Hamilton, W. J.
Hampden, R.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Heneage, G. H. W.
Henley, J. W.
Hervey, Lord A.
Hinde, J. H.
Hodgson, R.
Hogg, J. W.
Hornby, J.
Howard, P. H.
Inglis, Sir R. H.
Irton, S.
Jackson, J. D.
James, Sir W.
Johnson, W. G.
Kemble, H.
Knatchbull, right hon. sir E.
Liddell, hon. H. T.
Lincoln, Earl of
Litton, E.
Lockhart, W.
Long, W.
Lowther, J. H.
Lyall, G.
Mackenzie, T.
Mackenzie, W. F.
M'Geachy, F. A.
Mahon, Visct.
Marsham, Visct.
Martin, C. W.
Masterman, J.
Milnes, R. M.
Mitchell, T. A.
Mundy, E. M.
Newport, Visct.
Nicholl, rt. hon. J.
Peel, rt. hon. Sir R.
Peel, J.
Polhill, F.
Pollington, Visc.
Pollock, Sir F.
Price, R.
Pringle, A.
Pusey, P.
Rashleigh, W.
Repton, G. W. J.
Richards, R.
Rose, rt. hon. Sir G.
Round, J.
Sanderson, R.
Scarlett, hon. R. C.
Scott, R.
Scott, hon. F.
Seymour, Sir H. B.
Shaw, rt. hon. F.
Shirley, E. J.
Smith, A.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, Lord
Stewart, J.
Stuart, H.
Sutton, hon. H. M.
Tennent, J. E.
Thesiger, F.
Tollemache, J.
Tomline, G.
Trevor, hon. G. R.
Trollope, Sir J.
Waddington, H. S.
Walsh, Sir J. B.
Welby, G. E.
Wortley, hon. J. S.
Young, J.

TELLERS.

Rushbrooke, Col.
Vere, Sir C.

List of the NOES.

Acland, Sir T. D.
Acton, Col.
Aglionby, H. A.
Ainsworth, P.
Aldam, W.
Archbold, R.
Bannerman, A.
Barnard, E. G.
Barneby, J.
Bellew, R. M.
Bernal, R.
Bodkin, J. J.
Bowes, J.
Bowring, Dr.
Brodie, W. B.
Brotherton, J.
Browne, R. D.
Browne, hon. W.
Burroughes, H. N.
Busfield, W.
Byng, G.
Carew, hon. R. S.
Cavendish, hon. G.H.
Chapman, A.
Chapman, B.
Childers, J. W.
Christie, W. D.
Cobden, R.
Colebrooke, Sir T. E.
Crawford, W. S.
Currie, R.
Dashwood, G. H.
Denison, J. E.
Dickinson, F. H.
Drax, J. S. W. E.
Duncan, G.
Duncombe, T.
Elphinstone, H.
Escott, B.
Esmonde, Sir T.
Evans, W.
Fielden, J.
Fitzroy, Lord C.
Forster, M.
Gibson, T. M.
Gill, T.
Granger, T. C.
Hanmer, Sir J.
Hardy, J.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Heron, Sir R.
Howard, hn. C. W. G.
Howard, hon. J. K.
Howard, Lord
Howard, hn. E. G. G.
Hutt, W.
Jervis, J.
Johnston, A.
Labouchere, rt. hn. H.
Lambton, H.
Langston, J. H.
Lascelles, hon. W. S.
Lefroy, A.
Macaulay, rt. hn. T. B.
Mainwaring, T.
Mangles, R. D.
Marjoribanks, S.
Marshall, W.
Marsland, H.
Maule, right hon. F.
Mitcalfe, H.
Morison, Gen.
Morris, D.
Murphy, F. S.
Napier, Sir C.
O'Brien, W. S.
O'Connell, J.
O'Conor, Don
Palmerston, Visct.
Pechell, Capt.
Plumridge, Capt.
Protheroe, E.
Reade, W. M.
Redington, T. N.
Rice, E. R.
Roebuck, J. A.
Russell, Lord J.
Scholefield, J.
Seymour, Lord
Somers, J. P.
Somerville, Sir W. M.
Stanley, hon. W. O.
Stansfield, W. R. C
Stanton, W. H.
Talbot, C. R. M.
Tancred, H. W.
Thornely, T.
Tollemache, hn. F. J.
Traill, G.
Troubridge
Turner, E.

Villiers, hon. C.
Wakley, T.
Walker, R.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
Wemyss, Capt.
White, H.
Wilde, Sir T.
Williams, W.
Wood, B.
Wood, C.
Wood, G. W.
Wynn, C. W. W.
Yorke, H. R.

TELLERS.
Berkeley, Capt.
O'Connell, D.

Writ to be issued.

REGISTRATION OF VOTERS.] Mr *Milner Gibson* moved for leave to bring in a bill to prevent persons in England and Wales from losing their votes at an election by removal after the preceding registration.

Mr. *Bagge* said, he should divide the House against the motion.

Sir *James Graham* hoped the hon. Gentleman would not oppose the introduction of the bill. The subject was one worthy of consideration, and although he was not by any means prepared to express himself in favour of it, still he wished the bill to be introduced, in order that the House might see the nature of its provisions.

Leave given. Bill to be brought in.

GOVERNMENT OF NEWFOUNDLAND.] Lord *Stanley* rose to ask leave to bring in a bill for the better regulation of the Government of Newfoundland. Although it might not excite much interest, he could assure the House that this was a subject of considerable importance. [*Interruption caused by Members leaving.*] He knew it was impossible to ask for the patience of the House, and he was quite ready, if the House thought proper, to ask leave to introduce the measure without saying a single word, but if they wished that he should explain the object of the bill, he hoped they would at least allow him to hear what he was saying himself. In 1831 a constitution was granted for the first time to the colony of Newfoundland, on the declaration by the colony of their willingness to take on themselves the expenses of their own administration, and relieve this country from the burden. Out of this circumstance arose the necessity for the appeal he was now making to Parliament, the object of which was to enable the Crown to restrict the extent of the elective franchise then established in the colony. He did not think the House would be of opinion, when he stated the circumstances, that he proposed very largely or improperly to restrict the amount of the franchise. He was very unwilling to enter at much length into the circumstances which had led to the state in which the colony was at present placed. The late governor of the colony had represented to the noble Lord who preceded him in the charge of the Colonial Department, that such was the state of the colony, that it was quite impossible that he could undertake to summon an assembly under the constitution as it now stood, and the noble Lord the Secretary for the Colonies concurring in this opinion, authorized the suspension of the sittings of the Assembly until time should have been taken to consider the state of the colony. A committee of the House of Commons was appointed to investigate the whole circumstances on the motion of the hon. Member for Droitwich (Mr. Pakington); but their inquiries were cut short by the dissolution of Parliament, and all that they were able to effect was a partial examination of some questions affecting the religious differences of the island. He was happy to learn that the animosities springing out of this source had to a considerable extent subsided, and with the religious part of the question he did not propose in any way to deal. Although a nominal qualification for both the electors and the elected was ordained under the new constitution, it was in point of fact no qualification at all. The state of society was in many respects peculiar. Formerly the inhabitants consisted chiefly of fishermen, with a few persons who were attracted to the island by commerce, but in the course of time another interest had grown up, consisting of agriculturists and other persons resident in the colony. Between the different classes considerable jealousy prevailed, which divided the people into two parties. The inhabitants were distributed over a large extent of sea-coast with but small means of communication with the interior. The bulk of the population was extremely poor, and as a natural consequence extremely ignorant, with but few persons possessed of property. The qualification of a voter hitherto had been the possession of a house for twelve months, which might be a mere log-hut of a few boards, such as was called in the North American provinces a shanty. The qualification for representatives was the having occupied a house for seven years. The result had been, that the House of Assembly had consisted generally of very uneducated persons, one of the fifteen of which it was composed having been unable to write his own name, and some of the others being menial servants, who had to ask their masters' leave to enable them to sit in the House. He thought the House would agree with him that in such a state of things some check was called for, and that the restriction he proposed on the franchise was not unreasonable. The qualification which he should now propose for the electors, in conformity with the opinions of both the present governor and his predecessor, and with the consent of most parties in the island, was in the country districts the possession of a 40*s.* freehold, the person being resident on the spot, paying no rent, but being in undisputed possession, even if unauthorized. In the towns he proposed the occupation of a 5*l.* house, which rent being exceedingly low—indeed, in the country districts no such thing existed—would, in fact, include the great bulk of the householders. With respect to the qualifications of candidates, he should propose the possession of 100*l.* a year, or property to the amount of 500*l.* Enough of persons properly qualified at this standard would be found in the colony. One other restriction he proposed to introduce, in compliance with the constitutional practice in this country, and to which he did not believe any objection would be made on either side of the House, and that was, the origination of money votes by the Crown. The effect of the present jealousy between the commercial and agricultural interests was, that each grudged any expenditure of the public money in behalf of the other, and in consequence objections were made to the money votes, and no supply was granted for the public business. He thought it would be a proper control for this state of things to enact that money votes should originate with the Crown, and not with the House of Assembly. On all these points there was no difference of opinion in the colony itself. There was another provision, not made indeed with the general consent of the colony itself but to which he attached considerable importance, as tending to smooth the course of public business. The Council, as things now stood, checked the House of Assembly, and the two bodies acted with mutual jealousy. He proposed to incorporate both into one chamber, combining the principle of election with that of nomination by the Crown. At present there were two separate chambers, one nominated by the Crown, the other by the people. He proposed to convert them into one council, consisting of twenty-five members, of whom ten, or two-fifths should be nominated by the Crown, and fifteen or three-fifths should be elected by the people. This plan he thought would tend to produce more harmonious legislation, and prevent that suspension of public business which used formerly to occur when questions of precedence and dignity occupied the time which should be devoted to public business. These were the principal changes which he proposed, and he was anxious to hasten the measure on, and not leave the colony, as it was now, without any representative body.

Mr. *O'Connell,* viewing the whole scheme of legislation proposed by the noble Lord, would implore him rather to introduce a bill to annihilate all representation in the colony, and take the Government of the colony altogether into his own hands, than mock them with such a semblance of a representative body. The people of Newfoundland had been extremely ill-used, not only by the Government of which the noble Lord had formed a part, but also by the preceding Government. The committee appointed by the noble Lord, the Member for London, to consider the state of Newfoundland, had made its report on *ex parte* statements, as none of the residents of the colony had an opportunity of being examined before it. The whole power of the colony was placed in the hands of a few London houses, and the Legislature was in reality vested in them. Of this he was convinced, though he imputed to the noble Lord no motive or intention other than what the noble Lord had declared. He had heard from persons resident in Newfoundland, that before the constitution was granted, the colony was a burden to the mother country; but, since then, the case was altered, and public works of an extensive nature were undertaken. Amongst others, a thousand miles of road had been laid down, and the country was prospering exceedingly. The proposed alteration of the qualification would be nothing less than a transfer from the many to the few. The greater number of the poor voters at present were Roman

Catholics, who would be deprived of their votes, and the feuds which were complained of would be renewed under another name. If ten of the persons in the House of Assembly were named by the Government, it would require but three adherents of the Government to be amongst the elected body to give it complete sway over the Assembly. When he saw the bill of the noble Lord, he should give it his best attention, though he was, at the same time, convinced, that he should be compelled to give it every opposition.

Mr. *C. Buller* greatly regretted the introduction of this bill, because he thought, with the hon. and learned Member who had just sat down, that it was not calculated to restore harmony in the colony, for whose better government it was intended, but that its effect would rather be to perpetuate the disagreements which already existed there. He approved, however, of those portions of the scheme which proposed to give to the Crown the origination of money grants, and by which it was suggested, that the House of Assembly and the Council might be incorporated; but he thought, that with respect to the latter, it was not merely the general principle, but the relative proportions of the two bodies, with reference to the influence of the Crown, which ought to be looked to. And he could not help pointing out what would be the effect of the measure proposed. The House of Assembly, according to its new constitution, would consist of twenty-five members, ten being the nominees of the Crown, and fifteen being the representatives of the elective body. But, supposing three only of the latter number to be returned upon the influence of the Crown, the effect would be, that there would be an invariable majority over the representatives of the people. He could not help thinking, that there must be some exaggeration in the statement of the noble Lord, that any members of the House of Assembly were menial servants, and compelled to ask the permission of their masters before they could take their seats, although he certainly did admit, that the accomplishments of reading and writing were not universal in the colony. He was of opinion, that the alteration of the elective franchise would have a bad effect, because it would be in truth changing the governing body of the country; but he admitted the great difficulties of the case, and that a vast portion of the measure was exceedingly sound and proper.

Lord *Stanley*, in reply, said, that he had proposed no restrictions whatever, but had only given to Newfoundland the legislature which had been held in abeyance by his noble predecessor in the Colonial-office, in consequence of the state of the island.

Leave given.—Bill brought in and read a first time.

Lord *Stanley*, in moving for leave to bring in a bill to make further provision for the government of New South Wales, said, that the constitutional act in that colony had been renewed by successive acts since 1836, and as it would expire in the present year, he proposed to introduce the present bill, founded in the material parts, on the measure proposed by the noble Lord, the Member for London, last Session. He had considered the provisions of that bill, and had made some alterations, which were suggested by persons representing different opinions in the colony. The bill would considerably extend the popular rights in New South Wales, but not more so than he thought the population, wealth, and importance of the colony were fairly entitled to; and it would also constitute, for the conduct of local affairs, municipal districts and bodies which would be required by the Legislature about to be given under the sanction of Parliament.

Leave given.—Bill brought in and read a first time.

INDEMNITY OF WITNESSES.] Mr. *Roebuck* moved the second reading of the Witnesses' Indemnity Bill.

Sir *R. Peel* said, that on looking into the bill he must call the attention of the hon. and learned Member for Bath to a verbal amendment in the second clause. He thought it was taken from the bill that was sent down from the House of Lords, and seemed to imply that the first clause had given either House of Parliament power to appoint a committee, instead of the House of Commons alone.

Mr. *Roebuck* said, he thought that the second clause must be altered as suggested by the right hon. Baronet.

Sir *R. Inglis* thought, that leave was simply granted to the hon. and learned Member for Bath to bring in a bill to indemnify witnesses, and the hon. and learned Member appeared so sensible of that, that he confessedly limited himself to that object. It was to indemnify witnesses, and until this bill was delivered on the preceding day, no individual could have collected from what had passed in that House, from what appeared in the journals, or from what was stated by the hon. and learned Member in his place, that the object was to do more than to indemnify witnesses. In taking that course the hon. Member would have followed the precedent which had been set in the case, he thought, of East Retford. He had referred to the case of Grampound, but he there found no bill like this. By the second clause of this bill, it was proposed, that it should be lawful for such committee, at their discretion, to certify that any witnesses examined before them, or any person touching whom any evidence should be given before them, should be saved harmless. That might be right or it might be wrong; in his opinion it was wrong; but he thought that the House in giving leave to bring in a bill to indemnify witnesses did not intend to give a power to indemnify all persons.

Mr. *Roebuck* said, that if the hon. Baronet would refer to other cases, he thought he would find the same principle embodied in the acts relating to them. He had been accused of spitefulness, but his real object was to obtain information upon which to legislate, and for that purpose he wished that all persons should be indemnified.

Bill read a second time.

House adjourned.

HOUSE OF LORDS,

Friday, May 27, 1842.

MINUTES.] BILLS. *Public.*—1ª. Ecclesiastical and Admiralty Courts Appeals Transfer.

2ª. Pentonville Prison; Australia and New Zealand; Roasted Malt; Fines and Recoveries (Wales and Cheshire).

Reported.—Punishment of Death (Ireland).

3ª and passed:—Excise Duties Compounds; Dublin Police; Turnpike Roads (Ireland).

Private.—1ª. Gibson's Estate; Tyne Fisheries; Toxteth Park Paving and Sewerage; Market Harborough and Brampton Road; Birmingham and Liverpool Junction Canal; Holywell Roads; Boston Harbour (No. 3); Yate Inclosure; Stockton and Hartlepool Railway; York Cathedral; Milton's Estate (Crawford's).

2ª. Faversham Navigation; Ardrossan Harbour; Duke of Cleveland's Estate.

Reported.—Greenock Harbours; Dundee and Arbroath Railway.

3ª. and passed:—Aberdeenshire Roads.

PETITIONS PRESENTED. By Lord Kenyon, from the Bath Church of England Lay Association, against any further Grant to Maynooth College.—From the Presbytery of Bray, etc., for the Repeal of the Law of Patronage.—From the Members of the Cornwall Medical Association, for Medical Reform, and for the Better Remuneration of Medical Officers attending Poor-law Unions.—From the Guardians of the Nantwich Union, for the Alteration of the Bastardy Clause of the New Poor-law.—From the Board of Guardians of the Huddersfield Union, for the Repeal of the Poor-law Amendment Act.

OUTRAGES IN TIPPERARY.] Lord *Dunalley* begged to ask the noble Lord (Lord Wharncliffe) whether it were true that two terrible murders had recently been committed, and whether any measures had been taken to preserve the peace in that county.

Lord *Wharncliffe* said, that there had been two murders recently committed, of a very atrocious nature in the county of Tipperary, and that many other outrages had also been committed in the northern part of that county. This he admitted, but he could assure the noble Lord that no general system of offence was to be apprehended, for the Government and the local authorities had made every preparation to guard against any general breach of the peace. The strength of the police force in that district had been increased from 800 to 900 men, besides whom there were 1,700 regular troops stationed in that part of the county, and no less than seven stipendiary magistrates. This, he conceived, was a strength quite sufficient to guard against any extensive outbreak on the part of the turbulent and less peaceably-disposed part of the population. With regard to the two cases of murder which had occurred, it was some mitigation of the feelings such occurrences were calculated to excite, that they had not arisen out of any organised system of hostility either to the Government or to the general peace of society, but they had resulted from private and family disputes. Outrages of this description were such as the police could not prevent. The only remedy for such evils must be found in the altered feelings of the people, or by some comprehensive legislative enactment. When he sat upon the committee which was appointed two or three years ago to inquire into the state of Ireland, he was happy to observe, that a better feeling prevailed among the landed gentry of Ireland towards their humbler neighbours, and that they were more disposed to treat their tenants with kindness. The happiest results had ensued from this commendable change. There, however, unhappily still remained evil dispositions productive of crime, that were the growth of former bad feeling and wicked misleadings, and which nothing but a continuance of generous treatment and conciliatory conduct on the part of those who possessed influence could effectually remove. And, while admitting that a very beneficial change had taken place generally in the feelings of the landlords, yet he was compelled to confess that there were some who exercised the rights of property in that country in a manner which could not be justified. Those parties were not confined to any one class of political opinions; there were amongst them not only Tories, but Liberals—at least, Liberals in speech, whatever they might be in practice. The system generally, however, was much mitigated, and with respect to the outrages that had recently been committed he could only repeat that they arose from no hostile feelings against the Government, but from personal enmities and revenge.

Subject at an end.

Ecclesiastical Courts (Ireland.)] Lord *Campbell* said, he was about to lay on their Lordships' Table a bill, the object of which was to transfer to their Lordships' House all appeals from the Ecclesiastical Courts in Ireland. Heretofore—at least, since the union with Ireland—it had been the practice to take such appeals to a court of delegates, composed of a certain number of common-law judges; but this course would now be attended with some inconvenience, as several of the common-law judges in Ireland were Roman Catholics, and by an article of the Act of Union of the two countries, Roman Catholics could not sit as Judges in any matter connected with the Ecclesiastical Courts. The remedy for this inconvenience would be to transfer all such appeals to that House. He would now lay the bill on the Table, and would, on a future stage, go more fully into its merits.

Bill read a first time.

Pentonville Prison.] Lord *Wharncliffe* moved, that the Pentonville Prison Bill be read a second time.

Lord *Colborne* wished to call the noble Lord's attention to a very able report which had been made by Dr. Baillie on the subject to which this bill related. It was full of the most valuable information respecting the working of the system of solitary confinement. Dr. Baillie set forth many instances in which solitary imprisonment had not only failed in its object, but in which it had produced the most serious consequences. He hoped the noble Lord would allow that report to be printed, and a copy of it laid on the Table.

Lord *Wharncliffe* had not had an opportunity of reading the report which his noble Friend referred to. He was aware, that there was a considerable difference between separate confinement and solitary confinement, and he was certainly inclined to give a preference to the former. He would, however, read Dr. Baillie's report, and give the subject full consideration before their Lordships went into committee on the bill.

The Duke of *Richmond* entertained very considerable doubt whether a perfect and entire separation of prisoners was a system that ought to be maintained in this country. There ought, however, to be so much separation as would prevent parties from contaminating one another. He was of opinion, too, that mischief resulted from persons being imprisoned for too long a period. He believed, that the great secret of imprisonment was, that men should come out of prison smarting under the punishment that had been inflicted upon them while there, and that they should not remain there long enough to be familiarised with it. The present bill might do good if its operations were narrowly watched by the Secretary of State for the Home Department.

Bill read a second time.

Their Lordships adjourned.

HOUSE OF COMMONS,

Friday, May 27, 1842.

Minutes.] Bills. *Public.*—2°. Tithes Commutation.

Private.—1°. Argyll Roads (No. 2).

2°. Leicester Small Debts; Bromyard Roads; Surrey and Sussex Roads; Dean Forest Poor; Dean Forest Ecclesiastical Districts; St. Briavel's Small Debts.

Reported.—Ross and Cromarty Court Houses; Clerkenwell Improvement; Buildings' Regulation (No. 2); Wicklow Harbour.

3°. and passed:—Boston Harbour (No. 3); Market Harborough and Brampton Road; Stockton and Hartlepool Railway; Dundalk and Banbridge Road; Birmingham and Liverpool Junction Canal; Indemnity Mutual Marine Insurance Company (No. 2); Yate Inclosure; Glegg's Divorce; York Cathedral; Bates' Naturalization; Toxteth Park Paving and Sewerage.

Petitions Presented. By Mr. Long, from Bath, against the Reduction of the Duty on Foreign Stone.—By Colonel Acton, from Wicklow, for Alteration of the present System of Education (Ireland).—By Mr. O'Connell, from Roman Catholics at Hammersmith, Kensington, Fulham, and Tynemouth, for Equality of Civil Rights.—By Mr. Miles, from the Guardians of Frome, and Belgrave Unions, for Alterations in the Poor-law Amendment Bill.—By Mr. Dennison, from Dewsbury, and Golcar, for a further Limitation of the Hours of Labour of Young

Persons in Factories.—By Lord Ashley, Sir R. Inglis, and Viscount Jocelyn, from Walton, Islington, and Camden Town, against the Employment of Females in Mines.—By Mr. Halford, and Lord R. Grosvenor, from Market Harborough, Cambridge, Berks, and Chester, for the Prevention of Railway Travelling on Sundays.—By Mr. T. Duncombe, from the Cork Cutters of Great Britain and Ireland, against the Reduction of the Duty on Corks.—From Attornies at Blackburn, for the Repeal of the Stamp Duties on their Certificates.—From the Society of Attorneys, and Solicitors (Ireland), for the Repeal of Act 4 and 5 Will. 4, for Facilitating the Loan of Money on Landed Securities in Ireland.—From Brighton, against the Importation of Cattle and Meat.—By Lord Eliot, Altarnum, against any further Grant to Maynooth College.—From the Coffee-House Keepers of Lambeth, and the Metropolis, for the Reduction of the Duty on Coffee.—From Ashby-de-la-Zouch, Burton-upon-Trent, Tutbury and Taunton, against the Turnpike Roads Bill.—From Captain Manby, relative to Shipwrecks.

CHURCH OF SCOTLAND — NON-INTRUSION.] Sir *A. L. Hay* said, it would be recollected that when the hon. Gentleman the Member for Argyll proposed to proceed with his bill, the right hon. Gentleman the Secretary for the Home Department said, that overtures had been made by the Government to prevent the disunion which was now existing in Scotland, and that these overtures were of such a nature as to make it probable that her Majesty's Ministers would introduce a bill upon the subject. He would now ask whether it were their intention to bring forward any measure for the purpose of settling these unfortunate and disgraceful disputes?

Sir *James Graham* might be allowed to observe, that the question was somewhat premature. The general assembly of the Church of Scotland was now sitting, the business before them was of great importance, and whilst they were sitting it would be premature to make any declaration as to those proceedings. There would be time enough before the day on which the hon. Member had given notice to proceed with his bill (June 2), to state whether it should be considered desirable for her Majesty's Government to make themselves responsible for a measure to heal those divisions in the Church of Scotland, which he, in common with the gallant Officer, deplored.

DISTRESS AT PAISLEY.] Mr. *Hume* had heard that commissioners had been sent down to Paisley by her Majesty's Government, to distribute public money, and that in consequence the local subscription had been abandoned—he wished to know whether there was any foundation for that report?

Sir *R. Peel* asked what the particular question was? Did the hon. Member mean to ask whether the Government had stopped the local subscription?

Mr. *Hume* said, that there had been a committee at Paisley, to raise and distribute subscriptions; and a paper he held in his hands stated that, in consequence of the orders of the Government, a commissioner had taken upon himself to give public money, and the subscription had been stopped. He asked whether a commissioner had been sent down by the Government, to supersede the committee in giving relief, and what was the nature of his instructions?

Sir *R. Peel* replied, that there had been constant communications between the Government and the local authorities, during the whole period of the distress prevailing at Paisley and its neighbourhood—distress which he regretted to say was exceedingly severe, but which had been borne with great and commendable patience by the people. The Government had given every assistance to that committee, but they had not interfered with the subscriptions, till the local charity was altogether exhausted: and till they apprehended that the distribution of the local funds had not been conducted on the best possible principle. They thought it possible to give some assistance to the local authorities, by sending down a person who had watched the mode of relief as given to the poor in this country. For instance; one of the modes in which relief was granted, was by giving an order on the retail dealers in the town for provisions. It was clear that such a mode was very open to abuse, because it tended to make the retail dealers defer the period when relief should be no longer necessary. He thought it better that all the provisions distributed should be purchased by the committee. He had no hesitation in saying, that the person who had been sent down, and who had been connected with the commissariat department, had been enabled to make numerous economical suggestions, and to aid the local exertions. An appeal would shortly be made in the Church of Scotland similar to that which would be made in this country. He would take the opportunity of earnestly recommending the object of the subscription. The purport of it was to afford relief to the distress which prevailed in this country and in Scotland—a country in which the provisions for the relief of the poor were very defective. In Burnley, Paisley, and other parts of the country the smallest contributions would tend to diminish the distress which unhappily prevailed to such an extent; and he could not but express a hope that the call of her Majesty would be generously responded to by all classes. With regard to the subscriptions for the sufferers by the late fire at Hamburg, he trusted that the natural, just, and honourable sympathy for foreigners in distress would not be checked, but at the same time he hoped that the contributions to that fund would not prevent parties from contributing also largely and liberally to the alleviation of the misery which existed in our own country. When her Majesty's Government had interfered, it was solely with the view of affording relief in the most economical and best manner.

Mr. *Hume* would then move for an account of any sums sent down to Paisley, for the relief of the poor in that town, and also for a copy of the instructions sent down.

Sir *R. Peel* said, that he hoped the House would not accede to such a motion Some temporary advances in consequence of the exhaustion of local funds had been made in favour of the inhabitants of Paisley, but the public would not suffer from such advances; they would be repaid out of the public subscription. He trusted that the House would not call upon the Government to make disclosures which could be productive of no benefit, and which could only uselessly interfere with the object which the Government had in view.

Mr. *Hume* would on Monday bring the matter under the consideration of the House. In the mean time he begged to move that a humble Address be presented to her Majesty, praying for a copy of a letter addressed, by her command, on the 11th of May last, to the archbishop of Canterbury, recommending that collections should be made in the different churches throughout the country.

Sir *R. Peel* could have no objection to such a motion.

Colonel *Conolly* disapproved of any interference on the part of that House with the course pursued by the Government. The subscription was of a private nature, and he could not see what the House had to do with it.

Mr. *Gibson* asked whether any sums of money had been sent to any other places besides Paisley, and whether there was any objection to give an account of the places to which they had been sent, and the amounts?

Sir *R. Peel* could not call to mind any other places to which sums had been sent. Nothing could produce a greater evil than the advance of public money, save in cases of extreme emergency. He could not admit that there should be any relief from the public funds; but if the funds of a place were in a state of extreme exhaustion, and a temporary advance was made, he should look for a repayment. He did not recollect that there was any other case where there had been any advance to a town except to Paisley, where the circumstances were very peculiar, and owing partly to the cessation of demand for the particular article of manufacture.

Mr. *F. T. Baring* trusted that the House would not press for the return; but where there was an advance of sixpence from the public funds, the House had a right to know what became of it; it was a matter of discretion whether they would call for it, but they had a perfect right to every information.

Address for a copy of the Queen's letter agreed to.

CUSTOMS ACTS — THE TARIFF— SPIRITS (IRELAND).] On the question that the House should resolve itself into a committee on the Customs Duties Acts,

Mr. *O'Connell* was desirous of making a short statement as to that part of the the public revenue which was received from Ireland. The right hon. Baronet had informed the House that the effect of the temperance movement had been diminished to a considerable extent, and therefore that he expected to receive more revenue from that country than he had hitherto done. He wished to lay before the House a statement to show that the right hon. Gentleman was mistaken. Since the right hon. Gentleman's speech, the revenue returns had been printed, and he was happy to say that the amount received for spirit licenses, from malt, and from spirits had considerably diminished during the last three years. The revenue of Ireland, indeed, had been augmented during the last year by 90,823*l.*, notwithstanding the diminution in the produce of excisable articles. The new movement did not take place till after the year 1838, and he would therefore begin from that year. In the year ending 5th January, 1838, the produce from licenses was 123,739*l.*; in the year ending 5th January, 1839, the produce was 128,494*l.*, being an increase on the year of 4,755*l.*; in the year ending 5th January, 1840, the produce was 122,705*l.*, being a decrease on the year of 5,789*l.*; in the year ending 5th January, 1841, the produce was 106,436*l.*, being a further decrease of 16,269*l.*; and in the year ending 5th January, 1842, the produce was only 95,980*l.*, being a still further decrease on the year of 10,456*l.* Thus making a decrease on spirits in three years of 32,514*l.* In the produce of the duty on malt there had been also a great decrease. In the year ending 5th January, 1838, the amount received for the tax on malt, was 282,393*l.*; in the year ending 5th January, 1839, the amount was 289,869*l.*, being an increase on the year of 7,476*l.*; but in the year ending 5th January. 1840 the amount was only 242,561*l.*, being a decrease on the year of 47,308*l.*; in the year ending 5th January, 1841, the amount received was 200,108*l.*, being a further decrease on the year, of 42,453*l.*; and in the year ending 5th January, 1842, the amount received was 165,153*l.*, showing a still further decrease of 34,955*l.* on the year, making a total decrease in three years of 124,716*l.* With regard to spirits, the revenue from this source, for the year ending 5th January, 1838, was 1,374,429*l.*; that amount increased in the year ending 5th January, 1839, to 1,510,092*l.*, being an increase of 135,663*l.*; but in the year ending 5th January, 1840, it began to decrease, the amount was only 1,402,130*l.*, being a decrease of 107,962*l.*; in the year ending 5th January, 1841, it fell to 1,032,582*l.*, making a further decrease of 369,548*l.*; and in the year ending 5th January, 1842, the amount received was 964,711*l.*, making a decrease on the year of 67,871*l.* But this sum of 964,711*l.* represented a much smaller consumption of spirits, for 93,066*l.* was the amount calculated by Mr. Baring as the additional produce of the 4*d.* a gallon laid on by him last year. The total decrease on the actual produce of the spirit duties during the three years was 545,381*l.*, to which, if the 93,066*l.* additional duty were added, the real decrease would be 638,447*l.* The whole decrease in the revenue from spirit licenses, malt, and spirits, during the last three years, was therefore 795,677*l.* And yet the whole revenue from Ireland was increased, notwithstanding this temperance movement, from the increased produce of other exciseable articles. The revenue of 1841 was 4,107,866*l.*, and it was increased in 1842 to 4,198,689*l.*, showing an increase of 90,823*l.* The revenue on tobacco and snuff, in the last year alone, had increased in Ireland by 33,601*l.*; and the revenue on tea in Ireland had increased, during the year, 80,639*l.* So that while there was an increase on other articles, there was a diminution of revenue to the amount of nearly 800,000*l.* in spirits and malt, and as the revenue was made up from other sources, there could be no regret, in the minds of other persons, that this result should have occurred. This great diminution of revenue from spirits was distinctly to be traced to the effects of increased habits of temperance amongst the people of Ireland.

The *Chancellor of the Exchequer* was not prepared with any figures to give an answer to the right hon. and learned Gentleman; but the statement which he had made was perfectly reconcileable with that which was made by his right hon. Friend. The right hon. and learned Gentleman spoke of a yearly decrease, while his right hon. Friend spoke of an increase in the quarter. No person could be more rejoiced than he (the Chancellor of the Exchequer) was at the increase of temperance which took place in Ireland; and he agreed with the right hon. and learned Gentleman opposite, that no greater advantage could have happened to the morality of the country than the increased habits of temperance now practised by the people.

Mr. *O'Connell* said, it should be remembered there was an additional duty of 4*d.* which would account for the quarter's increase.

Sir *R. Peel* said, that he had alluded merely to a small increase in this quarter's revenue, as showing a faint symptom of change. With regard to the revenue, he hoped the right hon. Gentleman would point out to them from what other sources they were to obtain 200,000*l.*

Mr. *O'Connell* thought that they had had more than enough already.

House in committee on the Customs Acts.

Several items were agreed to.

On the item that the duty on train oil and blubber, of foreign fishing, shall be 6*l.*; and the duty on spermaceti oil, of foreign fishing, 15*l.* the tun, and on the question that the duty shall take effect from and after the 5th day of July, 1843,

Mr. *Lyall* rose to propose that the duty should take effect only from and after the 5th day of July, 1844. The hon. Member quoted the opinion of Mr. Huskisson, that whenever the interests of commerce and those of navigation could not be reconciled, the interests of commerce ought to give way to those of navigation. Navigation had been excepted from the principles of free-trade by all the great statesmen of this country; and by the founder of political economy, Adam Smith, who was in favour of making the navigation laws even more strict than they were at present. The hon. Member concluded by moving the insertion of the words, "5th day of July, 1844," instead of "5th day of July, 1843."

Mr. *G. Palmer* said, that he had no chance of being called a monopolist in supporting this amendment, for it was in favour of the country generally. Ever since the Navigation Act, the fisheries had been considered a paramount object to this country. The home fisheries had been considered as the first nursery of seamen, and the distant fisheries as perfecting their character. What was the situation of the country at this moment as to this particular trade? At the end of the last war this country thought it of so much importance to encourage the fisheries, that we gave a bounty of 39*l.* per tun on all ships engaged in the fisheries, whether the train or spermaceti oil fisheries. That bounty was taken off in 1823. In the year previous to that the number of British ships engaged in the fishery was 322, and the number of seamen 12,788, every one of whom was made a perfect seaman, in fact, seamen capable of manning the largest fleet that ever went to sea. We were now reduced to eighty-five ships. To what had it been owing? Entirely owing to the want of encouragement given to these fisheries—to the withdrawal of the bounty in the first instance, and the gradual decrease of trade from that time. In 1821 the ships engaged in the trade were 322, with 12,788 seamen; at this moment there were eighty-five ships with only 3,008 seamen—a diminution in three years of 9,000 perfect seamen. This was a matter which concerned the Ministers. It did not belong to him as an individual, however much he might feel for the character and credit of the country, but Ministers were answerable. As far as his duty was concerned, he had nothing to do but to state that it was a most mischievous thing to reduce the protective duty on the fisheries. The withdrawal of this protection from the fisheries would, of itself, do a serious injury to the country. As far as individuals were concerned, he asked for time to enable them to complete the engagements which they had entered into on the faith of the existing law. The southern fisheries were different in their character from those commercial undertakings in which shipowners were generally engaged. A fishing voyage was a speculation in which all parties were concerned from the owners to the very seamen. Each man had a share, whether one-tenth or one-hundredth. They went out, knowing that they received a certain protection in their trade, they received 8*l.* or 10*l.* as an outfit, and their families had an allowance whilst they were away. They would be engaged in the fishery for three years, and after they had been absent one year ships might arrive at the same port from England the next year. They would naturally inquire the news, they would hear of the reduction of the duty, and find that instead of receiving 100*l.* they were in debt. They would, therefore, most likely be induced to leave the ship and look for employment somewhere else abroad. What was the case as to America? When we had 322 ships, America had only sixty sail engaged in the fishery. America had now 634 ships manned by 17,000 seamen, whilst ours were reduced to eighty-five ships, manned by 3,000 seamen. As ships engaged in the fishery were not out less than three years some allowance should be made to those which had already sailed without intimation of the tariff.

Mr. *Gladstone* said, that though he trusted that the House would not support the motion of the hon. Gentleman, yet he could assure him that he was much mistaken if he thought that there was any disposition on the part of the Government not adequately to protect British fisheries. They fully admitted the value of the principle which the hon. Gentleman had laid down, but the only difference between his proposal and the proposal of the Government was a question as to time. The Government proposed that the duty should commence in 1843. The voyage generally lasted three years, and the spring season was the period for departure. So the vessels which set sail this spring would go with a notice of what was intended. The vessels which sailed next year would know likewise, and so the vessels which sailed last year were the only vessels that were entitled to consideration. With respect to the adventures of this single year, if the change proposed was likely to produce a fundamental revolution in the markets, he would admit that they would have strong claims for pecuniary compensation. But he would contend, that there was no shadow of reason for maintaining that the price of sperm oil would be a bit less profitable than it had been, or than it ought to be. The average price for the last eleven years was 79*l.* 10*s.*, and, according to the opinion of Mr. Henderby, the price in America was about 60*l.* The cost of transport was 4*l.*, and when it arrived in this country a duty of 15 per cent. was levied, making the price 79*l.* 16*s.* So the average price in England was 79*l.* 10*s.*, and the price of American oil would be in the English market 79*l.* 16*s.* There was no danger, therefore, of competition unless the price of American oil was under 60*l.* What were the facts? In 1840 the price was 72*l.*, and at that price 1,500 tuns had been brought in. In 1841 the price was 63*l.*, and then only 520 tuns came in. He, therefore, asked, when the Government took the price at 60*l.*, how could the British fisheries be injuriously affected? What was the real danger to the trade? The fact was notorious, that in every oil shop at the west end of the town there was advertised a substitute for sperm oil, arising —as it was sure to arise—from the excessive prices which were caused by the excessive duties. From 1831 to 1835 the average price was 67*l.*, and the supply was 4,700 tuns. From 1836 to 1841 the price was 89*l.* 13*s.* 4*d.*, and the supply had fallen to 3,300 tuns. The excessive duties had led to all sorts of substitutes—those substitutes caused a diminution of price, and that diminished price oppressed the market. The market wanted relief, and he said, that that relief would be afforded by the change which the Government proposed. It was right that the committee should know the present state of the market. In 1831 the number of ships entered inwards from the whale fishery was 111, and the price of oil was 76*l.* per tun.

	Number of Ships.	Price.
In 1832	94	£71
1837	71	83
1839	63	95
1840	44	104

and in 1841 the number of ships entered inwards was forty, and only thirty outwards, and in that year the price was 95*l.* Under these circumstances, there was a call for something to be done, and taking into consideration all the features of the case, he believed that the proposition of the Government was perfectly fair and equitable.

Sir *C. Napier* agreed with the hon. Member for Essex that sufficient attention was not paid to the fisheries of England. They were the nursery of our seamen, and every regard ought to be paid to them. What were our seamen now? Sailors from steam-vessels, and nothing else. It was an extraordinary thing that, according to the last account, there was not a single British ship trading between Liverpool and America. The shipping of this country was declining, and something ought to be done to assist and maintain it. He should, therefore, vote for the motion of the hon. Member for Essex.

Mr. *Hawes* said, the question was not whether the duty should be continued at its present amount, or at the rate proposed by the tariff, but whether the lessened rate should be imposed then or twelve months' hence. That was the real question before the committee, and he wished to know whether any special grounds had been stated for the alteration. He wished that a sufficient time might be allowed to elapse before the proposed change took place, in order to enable the British trader to compete with the American, who now in consequence of the cheapness of his outfit, and of other favourable circumstances, had essential advantages over the traders in this country.

Sir *R. Peel* wished to say a few words respecting the apprehensions expressed by the gallant Commodore opposite of a decline in the maritime interests of this country. A reference to the paper which contained the most recent evidence of the state of our commercial marine would put an end to all such apprehensions at once. That paper gave the following statement of shipping employed in the trade of the United Kingdom, separating British from French vessels, during the years 1840 and 1841. Of ships entered inwards that were employed in the trade of the United Kingdom in 1840 there were 17,883; in 1841, there were 18,525; the amount of tonnage in 1840 was 3,197,000; in 1841 it was 3,361,000; and the number of British seamen employed in 1840 was 172,000, while in 1841 it was 178,000. That was a very great advance in one year. Now let them look to the foreign commercial marine, in respect to which the gallant Commodore thought there was such an increase compared with the British commercial marine. The paper he was referring to showed the very reverse. It showed that in 1840 the number of ships entered inwards in the foreign commercial marine was 10,198, but that in 1841 it was only 9,527; it showed that in the tonnage there was a falling off in these years from 1,460,000 to 1,290,000; and in the number of seamen, from 81,000 to 73,000. That proved that the apprehensions of the hon. and gallant Gentleman were unfounded, and that the mercantile marine of this country suffered nothing in a comparison with other countries. With regard to the question of time he begged to observe, that Mr. Huskisson had reduced the duty on foreign oil immediately and without giving time. That reduction, however, did not produce any diminution of price in the home market. When the trade was said to be comparatively flourishing what was the price per tun of spermaceti oil? In the years 1823, 1824, 1825, and 1826; the prices were respectively *54l.* *48l.*, *57l.* and *55l.*a ton. Here were four consecutive years in which spermaceti oil did not exceed on the average *52l.* per ton at a time when there was a considerable consumption and not much competition. But what was the price during the last four years' ending with 1842? Why *95l.*, *104l.*, *98l.*, and *75l.* per ton respectively, the consequence of which was, that concurrently with those prices there was a falling off in the number of ships employed in the trade, because those high prices gave a premium upon the introduction of vegetable oil. The article of oil being essentially necessary in the working of machinery, and the manufacturer being unwilling or unable to afford to pay the high price for the spermaceti oil, resorted to vegetable oil, and thereby encouraged the consumption of that oil. If for three years, as was the fact, the price of spermaceti oil ruled at the rate of *100l.* per tun, while ten years before it was only *52l.*, was not the consequence exactly what the hon. Gentleman opposite apprehended, namely, that spermaceti oil was driven from the market? He was afraid that no interference on their part would have the effect of encouraging the marine while such causes of decay as that existed. Nothing could be more painful to him than inflicting injury on individual interests; but if every interest were to claim time there would be a virtual postponement of the measure. They must take the disadvantages with the advantages, and consider whether there might not be a prospect of reducing the expense of the vessels in the new competition. On the whole, then, he trusted that the House would affirm the reduction of duty, which he felt to be a wise reduction, even for those interests that appeared to be affected by it.

Lord *J. Russell* said, that a high protecting duty, and a diminishing consumption of the foreign article in the market, induced the Government to propose a considerable reduction of the duty. On the general principles stated by the right hon. Baronet and the President of the Board of Trade, he agreed in the propriety of a considerable reduction. But the question arose whether this change should be made immediately, some time hence, or according to the amendment. The President of the Board of Trade said, that the British whale fisheries had nothing to fear from this reduction—that the price of American oil, with the addition of the new duty, would be such that British oil had nothing to fear from the competition. If that were the case, why propose any extension of time at all? If the right hon. Gentleman's argument was good, the change might be made now as well as at a future time; but he conceived that his argument upon that point failed. He thought that there ought to be a competition in the article, that would enable the American to sell oil here whenever it rose to a high price, higher perhaps than it was at present. The statement was that three years and upwards were employed in the trade before there was a return of capital, and that the proposed change would therefore operate disadvantageously towards some. He thought it a fair question whether they should not make some allowance with reference to such cases. A ship that went out in 1841 would not return until 1844, and it was rather a hard thing to insist upon altering the position of persons who had taken advantage of existing arrangements by bringing a lower scale of duty into operation in 1843. As for the competition, he really could not understand why we should not successfully compete with the Americans. In the German markets he believed the Americans at present undersold us, but if we had a better system, if our merchants were allowed to provision their ships at a cheaper rate, he could see no cause why we should not successfully compete with any nation in the world. Provided, too, such an arrangement could be made without any sacrifice of principle, it was, he thought, very desirable that our seamen employed in this branch of commerce should be protected and encouraged. Upon the whole, he considered the statements made of the importance of this fishery, and the peculiar facts of the case, rendered the proposition for extending the time not unworthy the consideration of the Government and the attention of the House.

Captain *Fitzroy* expressed much alarm at the competition on the part of the Americans. They had at the present time no less than 653 vessels engaged in whaling, and so great was their success that many of our own merchants were intending to give up this branch of their business. Several of them, he knew, had in view the entire abolition of the South Sea whalery. Indeed, an eminent merchant had stated to him only a few hours back, that it was his object and desire to withdraw from all connection with the fishery as soon as possible. He attached great importance to this trade, on account of the nursery it afforded for our seamen. He believed that with the exception of our north coasting trade, it was the best nursery for seamen we possessed, and we ought to be more especially careful not to discourage it, as many of our sailors had already left us for service in the American whalers.

Sir *C. Napier* also urged the importance of attending to the interests of our marine. He wished the House would open their eyes to the position of our seamen.

Mr. *Divett* had at first considered that some allowance should be made as to the time when the new duty should come into operation, so as to exempt from injury those whose vesssels were now out, and he had come down to the House under that impression, but what he had since heard had altered his opinion.

Sir *R. Peel* said, they should bear in mind, that under the high duties, was said, that the American trade h increased. The American sailors, as his hon. and gallant Friend behind him had shown, were not sufficient for the supply without the aid of English sailors, and the consequence was, that unless an alteration took place, those engaged in the South Sea fisheries must abandon that trade. Such was the state of things under the existing low duty; and what was the price of spermaceti oil? Why, it was not less than 100*l.* the tun. If, then, they subjected the consumer to a rise of from 60 to 70 per cent. the merchants must be ruined. By the new tariff it would be impossible that American oil could be sold in this country at less than 75*l.* the tun, and he could only say, that if they were to keep the price at 100*l.* the tun, his belief was, that the high duty would be found a fatal gift, because it would lead to a system that would rapidly exterminate the trade altogether.

Mr. *G. Palmer* said, it should be recollected, that the ships engaged in this trade, were double the expense of other ships, and that the insurance, being obliged to be paid for the whole voyage, was 12 per cent., while other vessels were insured at 2 or 3 per cent.

The committee divided on the original question, that the words, "from and after July 5," be inserted:—Ayes 108; Noes 41: Majority 67.

List of the AYES.

A'Court, Capt.
Aldam, W.
Allix, J. P.
Arbuthnott, hon. H.
Arkwright, G.
Baillie, Col.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Bernard, Visct.
Blakemore, R.
Bodkin W. H.
Boldero, H. G.
Botfield, B.
Bowring, Dr.
Brotherton, J.
Browne, R. D.
Browne, hon. W.
Buckley, E.
Busfeild, W.
Charteris, hon. F.
Chetwode, Sir J.
Clerk, Sir G.
Clive, hon. R. H.
Cobden, R.
Cochrane, A.
Cockburn, rt. hn. Sir G.
Coote, Sir C. H.
Corry, rt. hon. H.
Cripps, W.
Damer, hon. Col.

Darby, G.
Denison, E. B.
Dennistoun, J.
Divett, E.
Douglas, Sir C. E.
Escott, B.
Fielden, J.
Flower, Sir J.
Follett, Sir W. W.
Fuller, A. E.
Gaskell, J. M.
Gill, T.
Gladstone, rt. hn. W. E.
Gordon, hon. Capt.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Greenall, P.
Grogan, E.
Hampden, R.
Harcourt, G. G.
Hardy, J.
Herbert, hon. S.
Hope, hon. C.
Howard, hon. H.
Hume, J.
Jackson, J. D.
Jermyn, Earl
Johnson, W. G.
Johnstone, H.
Knatchbull, right hon. Sir E.
Langton, W. G.
Lincoln, Earl of
Lockhart, W.
Long, W.
Lowther, J. H.
Manners, Lord J.
Marsland, H.
Marton, G.
Mitchell, T. A.
Morrison, J.
Nicholl, rt. hon. J.
Owen, Sir J.
Patten, J. W.
Peel, rt. hon. Sir R.
Philips, M.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Praed, W. T.
Pringle, A.
Rice, E. R.
Richards, R.
Rose, rt. hon. Sir G.
Scott, hon. F.
Sibthorp, Col.
Smith, B.
Somers, J. P.
Somerset, Lord G.
Stanley, Lord
Stansfield, W. R. C.
Stanton, W. H.
Stewart, J.
Stuart, W. V.
Sutton, hon. H. M.
Tennent, J. E.
Thesiger, F.
Thornely, T.
Trench, Sir F. W.
Turner, E.
Vane, Lord H.
Verner, Col.
Villiers, hon. C.
Vivian, J. E.
Wakley, T.
Wilbraham, hn. R. B.
Wood, B.
Yorke, R. H.
Young, J.

TELLERS.

Freemantle, Sir T.
Baring, H.

List of the Noes.

Aglionby, H. A.
Antrobus, E.
Bannerman, A.
Barnard, E. G.
Buller, C.
Cayley, E. S.
Chapman, A.
Clay, Sir W.
Colborne, hn. W. N. R.
Douglas, Sir H.
Duncan, G.
Dundas, Admiral
Fitzroy, Capt.
Grimsditch, T.
Hawes, B.
Hay, Sir A. L.
Henley, J. W.
Hill, Lord M.
Hinde, J. H.
Hodgson, R.
Humphrey, Alderman
James, Sir W. C.
Mangles, R. D.
Martin, J.
Masterman, J.
Morris, D.
Napier, Sir C.
Neeld, J.
O'Brien, J.
O'Brien, W. S.
Plumridge, Capt.
Pusey, P.
Russell, Lord J.
Sandon, Visct.
Smith, J. A.
Somerville, Sir W. M.
Trotter, J.
Tufnell, H.
Wawn, J. T.
Williams, W.
Wood, G. W.

TELLERS.

Palmer, G.
Lyall, G.

On the first article in schedule 10, relating to "timber and wood not otherwise charged,"

Mr. *Hawes*, in adverting to the mode of measuring timber proposed, complimented the right hon. Gentleman, the President of the Board of Trade, for the consideration he had bestowed on this subject, and the readiness he showed to pay a courteous attention to any representations made to him. He suggested, that a different mode of measuring the timber from that proposed by the schedule should be adopted. It was proposed by the Government, that the pieces of timber should be separately measured; but this would produce great delay, and consequent inconvenience to the merchant. It was almost impracticable, and there was no doubt, that a more expeditious manner of taking the admeasurement ought to be adopted, such as by the contents in cubic feet. The parties who were most interested, wished to have a different mode of measuring the timber adopted from that which the Government proposed. The subordinate officers of the Government were also opposed to the new system, from the operation of which, they anticipated great difficulty; but they did not state their opinions to the Government, as they feared, that if they did so, they might be in danger of losing their appointments, inasmuch as they might be superseded by others, who would urge no objections to the proposed plan of measuring. Those who objected to the proposed mode of ascertaining the quantity of timber, did so, not with any view of embarrassing the Government, but in consequence of the delay and inconvenience it was calculated to cause. He wished to know, if there were any grounds for such a change as that proposed?

Mr. *A. Chapman* said, that he had had an experience of fifty years, and that he might say, that he possessed a general knowledge of the timber trade. So far as his experience went, he was anxious to equalise the duties on timber, whether it came from the East or the West, so that the consumer should have it in his power to supply himself with the article that best suited his purposes. He was sorry that he could not agree to the measure proposed by her Majesty's Government with respect to the timber duties, and he must say, that he would prefer the measure which the right hon. Gentleman opposite had last year proposed with respect to this subject.

When he stated it as his opinion that it was necessary to equalise the timber duties, he said at the same time that they must bear in mind, in regulating those duties, the distance from which timber was brought, and the additional freight when it was brought from the colonies. It was also to be considered, that 2,648 ships were employed in the carriage of timber from the British colonies to this country. The preference for Baltic timber was so great, that it would cause the consumer to go to that market, and this would have the effect of changing the course of the timber trade from the British colonies to the Baltic. It was said that this measure was a benefit to the shipowners. If that was so, those shipowners were the most ungrateful people in the world, for they repudiated this benefit. They looked upon it as a measure that would be injurious to them, and would send them to compete with ships more cheaply built and more cheaply manned. The ships of this country were better and more expensively built. They were manned by sailors who were paid 50*s.* a month, whilst the foreigner with whom the British shipowner would have to compete paid his sailors only 25*s.* a month, besides which the British sailor was better fed and better provided. Besides this, our trade would be driven from our colonies, which took everything they wanted from us to countries which took nothing from us. He trusted that the right hon. Gentleman would take the subject into consideration, and would not persist in pressing the proposed duties.

Mr. *Gladstone* said, in replying to the observations of the hon. Member for Lambeth, he felt bound to thank the hon. Member for the manner in which he had given the Board of Trade credit for the attention they had bestowed on this subject. He felt that when Gentlemen came to the Board of Trade to give them the advantage of their intelligence and experience, it was his duty to pay them every attention, and he only regretted that the duty had not been better performed. With respect to the request of his hon. Friend behind him (Mr. A. Chapman), he regretted that he could not hold out to him any hope that he would abandon the present measure. The hon. Member for Lambeth had asked were there any grounds for abandoning the present system of collecting the duties? and he, in reply to that, would state that the grounds on which it were abandoned were, first, its injustice; and, secondly, its complexity. The question of its injustice belonged to the larger aspects of the question, and upon that he would not now touch. But, with respect to its complexity, those who were acquainted with the timber trade would admit, that it required immense labour to become acquainted with the operation of the timber duties. The committee of 1828, recommended an alteration of this system. He admitted, that he did not suppose that it was the intention of the committee to go the length of the present change. But he did think that it was the intention of the committee to make a considerable approach to the present proposition. It had been said, that the delaying of merchandise was a kind of barren and unproductive taxation, but the measure of the Government would have the effect of simplifying the working of the system. The timber imported from the colonies formed two-thirds of the whole importation of the country, and the duty on colonial timber was to be merely nominal. There could be no doubt, that when they would have had a little experience, that modes would be discovered of calculating the duty with less expence of time and labour than was the case under the present law. He could not pretend, with respect to the Baltic timber, that it would not be necessary to have minute accounts of the dimensions, but he thought, even in this case, that the difficulties had been exaggerated. He would admit the indefinite number of sizes at which timber might be brought, but he did not anticipate any inconvenience on this account. The inconvenience of stowage would require that the parcels of timber should, for the most part, be of uniform length and size, as otherwise, loss and inconvenience would be occasioned in their stowage. He lamented the inconvenience that would attend the change, but still he did not believe that the inconvenience would be so great as had been represented. The hon. Member had stated that he had heard that the customs department had expressed their opinions on this subject. Now, he (Mr. Gladstone) had not the slightest hesitation in saying, that if the customs department entertained objections to his proposition they would have forced them on the Government, and it would have been their duty to do so. [Mr. *Hawes*: "I spoke of the subordinate officers."] There was no foundation whatever for the statement. It was as far from the fact as possible, for this proposition met with the full concurrence of the Board of Customs, as well as of those officers on whose opinion the Board had most reason to rely. The opinion of those individuals was, that this change of system could be carried into effect without any disadvantage either to the revenue or the commerce of the country. The Government had encouraged every communication on the subject; and he (Mr. Gladstone) could see no reason which should induce the committee to withhold their assent from the proposition of the Government. It was a change from a bad to a good system; and though it was impossible that it might not be attended with intermediate inconvenience, its effect would be to remove many existing evils.

Sir *W. James:* From the deep interest which his constituents took in this question, felt bound to urge on the attention of the Government the opinions of practical men engaged in the timber trade, and who entertained great doubts whether the measure of the Government would be successful or not. Much, no doubt, might be said on both sides; but it was the opinion of practical men connected with the borough which he represented, and they all agreed, that in the port of Hull the measure would be altogether impracticable. When a plan of this kind was submitted, a few years ago, to the consideration of the late Mr. Deacon Hume, he understood that that gentleman, having given attention to the subject, had expressed his opinion that the plan might be introduced into all the ports of the kingdom with the exception of Gloucester and Hull. He trusted that the right hon. Gentleman would reconsider this part of the subject.

Mr *F. T. Baring* said, it was generally allowed that there was no principle in the present system of admeasurement, and the question was, not whether a system admitted to be a bad one should not be altered, but whether the course adopted by the right hon. Gentleman perfectly just in principle, would not be found in practice exceedingly inconvenient, if not impracticable. The committee that sat upon the subject had not recommended the mode proposed by the right hon. Gentleman, and he had reason to know that the opinion of the trade and practical men who had no interest except in a fair working system, was against the proposed course. Had the opinion of the trade and of experienced custom-house officers been in favour of it he should bow to the opinion of those persons; but having been last year in communication with them on the subject, and being himself strongly disposed to the right hon. Gentleman's plan which he thought by far the best on principle, he had abandoned in consequence of information he had received from his communications with custom-house officers, and other experienced persons. If they had since altered their opinion, he should be glad of it, but when he found the opinions of well-informed practical men agreeing with those of the trade, against the plan, he thought they should be cautious how they adopted it.

Mr. *Mitchell* believed, that the wood-merchants universally objected to the plan, and he hoped the matter would not be pressed until further time for discussion was given. The effect of the plan would be, that the deals imported would be cut in Norway and Sweden, thereby throwing the manual labour of this country out of employment. The labour of sawyers was cheaper in Norway than in any country in Europe, and the consequence would be, that the whole monopoly of supplying deals would be thrown into the hands of that country and Sweden; and Russia would be thrown out of the market, when Norway and Sweden might charge any price they pleased. Another point to be considered was, that Norwegian and Swedish timber came in the ships of those countries, whereas the imports from Russia were in British bottoms. The timber, too, should be landed for measurement, and this would involve an additional expence of 22½ per cent. to be paid by the consumer.

Sir *R. Peel:* I understand that we are only discussing a point in detail, connected with measurement; and I will remark, that the Government can have no object but that of facilitating transactions, of preventing fraud, and getting as much revenue as possible under the system adopted. Now, having put ourselves in communication with one of the most intelligent and experienced officers of customs, he has no apprehension of any difficulty arising from the proposed plan. Intending to adhere to the manner of effecting the reduction in duty, I should say, that as to the mere mode of levying it, there is no reason why further consideration and communication should take place. To that I have no objection. But I beg the House to remember the observation of the hon.

Gentleman who spoke last, and who says the plan proposed will give facilities to Norway and Sweden. Now, I hope sincerely, the measure may have that effect. He says we are going to injure Russia and benefit Norway and Sweden, but the truth is, that we are going to redress a great injustice, which, for a long period, has operated most injuriously on the two latter countries, and the more effectually the mode proposed produces that effect, the stronger will be the arguments in its favour. The hon. Gentleman (Mr. Mitchell) says, that sawyer's labour is cheaper in Norway and Sweden than in other countries. Will not that circumstance tend to reduce the price to the consumer here? [Mr. *Mitchell:* But it will throw overboard the sawyers of this country.] I can assure the hon. Gentleman that there is not one single article included in the tariff to which an objection of this kind is not made in some quarter. He says, that the plan proposed will give some peculiar advantages in sawing timber to Norway and Sweden, by which they will be able to monopolise the trade; that Russia will in consequence be driven out of it, and that Norway and Sweden will then charge what they please. Now this is what is always said; but, if Norway and Sweden do this, will not trade revive? If they so increase prices, surely Russia will be able to come into the market again. I hope the hon. Gentlemen will not meet me with the argument that the timber trade of Russia will be so entirely destroyed that it will be quite impossible for her again to come into competition with Norway and Sweden. But, surely, the immense quantities of forest timber possessed by Russia would be a check upon the other countries, and they will not venture to avail themselves of these privileges in so improper a manner as to exact undue and unfair prices. Do hon. Gentlemen object to the principle of the measure? It is said, I am aware, that the reduction should be made at once, and that we ought not to make one reduction this year and the other next year. It was with a view to protect vested interests that this was done. I wish, for my own part, that the trade had said the first fall of duty should come into operation on the 6th of July instead of in October. I believe that had the trade done so, it would have been for their benefit, and that the suspension in the demand for timber will, on the whole, operate very injuriously on them. I therefore repeat freely that as to this point I wish the trade had approached Government with an application that July, instead of October, should be the period at which the alteration should begin to operate. Having made an announcement of the course to be pursued, we cannot in justice give way, unless to an universal application from those concerned. But if an objection be felt to the operation of the new duty from year to year—if there be no objection to making the lower amount of duty leviable the first year—if I am approached by a general application from the trade to that effect, I can only say, that I shall at once give way.

Mr. *Hume* said, it would be a boon to the working-classes if the lower duties commenced their operations on the 5th of July. If this course were not adopted, a number of carpenters and others would be thrown out of employment.

Mr. *Hodgson Hinde* said, that in consequence of the turn the discussion had taken, he must observe that many of his constituents had laid in large stocks of timber, and paid the duty thereon, and it would operate most unjustly and most injuriously on them to accelerate the period at which the reduction of duty was to take place.

Viscount *Sandon* must protest against the doctrine that a more speedy reduction of the duty would be a boon to the working-classes. The boon would be not to reduce it till next year, and not to allow it to go below 30*s.* a load. He had that morning placed in the hands of his right hon. Friend at the head of the Government memorials from the importers of and dealers in timber in every port of the kingdom, including London, praying that only one change might be made in the timber duties, and that that change should be to 30*s.* not 25*s.* With a duty of 30*s.* they thought the western ports of England might be able to balance the competition between the colonies and the Baltic, but not the eastern; but if the duty were below 30*s.*, even the western ports would not be able to balance the competition. It should not, therefore, be said that it would be agreeable to any large class of the community to agree to the proposition so warmly recommended from the other side.

Mr. Alderman *Humphery* observed that as other timber, including deals of four inches in thickness, were regulated as to duty by cubic admeasurement, there was no difficulty in measuring in the same manner three-inch and two-and-a-half-inch deals. Every officer in the Customs must be competent to the task.

Viscount *Jocelyn* said, the constituency which he had the honour to represent would not be satisfied with the proposition laid down by the hon. Member for Montrose. They would be better pleased with a delay of twelve months, in order to have time to get rid of their stocks. The trade of Lynn, was chiefly in Baltic timber. Many of his constituents had laid in quantities of timber, and paid the duties, and the consequence of a sudden alteration would be, that they would lose the difference between the duty paid by them and that imposed by the present measure.

Sir *H. Douglas* felt that a speedy settlement of the duty was most important, and felt further, that 30*s.* not 25*s.*, was the point at which that settlement ought to rest. He, therefore, gave notice that on the next occasion when the subject was discussed, he should propose that the duty rest at 70*s.*, and not go as low as 25*s.*

Sir *R. Peel:* And I beg also to give notice that I mean steadily to adhere to my proposition. As I before stated, I think it quite fair that matters of detail in the mode of collecting the duty should, if desired, be reconsidered with the custom-house officers. But even here I must say that a good deal of experience has shown me that even in the most plausible objections against details, one can nearly always find lurking at the bottom some proposition to affect protecting duties. It is, I think, fair to leave details to be reconsidered. Having given public notice of the mode in which the duty is to operate—that it is not to be less than 30*s.* the first year, and to go down to 25*s.* the second, I shall make no alteration in this, except in deference to a great and universal expression of opinion from those engaged in the trade. But as to any proposition to keep the duty permanently at 30*s.*, and not let it go down to 25*s.*, that shall certainly have my decided opposition.

Mr. *Hawes* begged most emphatically to disclaim having any object in the observations he had made, except the practical one as to which he had called the right hon. Baronet's attention.

Mr. *C. Buller* rose to draw the attention of the House to the motion of which he had given notice on the subject of the Bridport election. Ten o'clock was now come, and he saw no chance of the present discussion coming to a close, unless it were interrupted, as new topics were every instant started.

Sir *R. Peel*: If we are not to have a division on the timber duties to-night it is of no use to go on further with them. In reference to the observations of the hon. Member, I wish to say one word. The hon. Member says, that to reconsider, when spoken by a Minister of the Crown, meant to be favourably disposed to the subject. Now, Sir, in reply to that construction of the words, I beg to say, that I am at present in favour of the proposal before the House; but I am not biassed in any way on the subject, and I shall hear the most intelligent Custom-house officers in reference to it, and then act according to the best of my judgment.

The House resumed.

The Chairman reported progress.

Committee to sit again.

Bridport Election.] Mr. *C. Buller* then said, Sir, I can assure the House that it is not my intention on the present occasion to occupy much of its time. The House, will, I believe, do me justice when I assure it, that it is with great reluctance that I bring forward any motion involving considerations of so personal a nature as the present, which, whatever may be its particular object, must necessarily give rise to some amount of unpleasant personal controversy. I must confess that I have been induced very much to bring this motion forward by feelings of a personal nature, I confess that in the outset. My regard for purity of election does not induce me to bring it forward. Had it not been on account of the unfair and hard position in which I think recent events have placed a Friend of mine for whom I have the greatest regard, I should not now have called the attention of the House to the subject. That gentleman's conduct in vacating his seat in this House, has been the subject of much and general comment. It has been commented upon as he states in his petition, by a right hon. Member of the Government, and although I feel bound to state that I see nothing in that comment but good humour and fairness, still it is an unpleasant thing that such high authority should hold out as having violated the laws of Parliamentary purity a person who had always been an advocate for Parliamentary Reform. But it is not by reason of what has been stated out of the House, that I bring forward this motion, because I have stated that one of the causes which compelled me to the course, was a late speech of the hon. Member for Radnorshire. When the late motion of my hon. Friend the Member for Bath was carried, the hon. Member for Radnorshire rose and asked if the House was going to institute this inquiry into five or six boroughs without taking into its consideration that borough in which a compromise had first occurred during the present Parliament; and I then felt myself called on, as a friend of the party who was pointed at, to say that he would challenge inquiry, and I hoped that as the House was bound in consistency to extend the inquiry into the matter alluded to, that it would do so. Now I should have very little difficulty in satisfying the House as to the propriety of my motion, which is, that the circumstances relating to the recent election for Bridport shall be inquired into by the same committee as that appointed to consider the election proceedings in the cases of Reading, Falmouth, Harwich, and Lewes. I cannot see how the House after adopting the motion for that committee, can consistently refuse mine. The House will recollect the grounds on which my hon. Friend the Member for Bath moved for the committee, and the grounds on which the House then acted. The reasons upon which my hon. Friend asked for his committee were, that rumours of bribery and corruption were abroad. My hon. Friend stated that there were very general rumours, that there had been great bribery at the elections he alluded to. He then stated that the subject of these elections having been brought before the House in a legitimate manner, by means of election petitions, the inquiry had been put a stop to by a withdrawal of these petitions, that they were not withdrawn because the petitioners became satisfied that they had no case, but that it was a matter of rumour that they were withdrawn in order to upset the decision of the committee, and thus vacate the seat which the committee had declared to be filled. Now what is the case which I bring forward? I do not come with rumours of bribery, but with positive allegations, founded on the petition presented by a gentleman who, though he is not at present a member of this House, will not I am sure be called by those with whom he sat the less worthy of confidence on that ground. I come not with rumours of compromise, but with a statement from one of the parties who says that he was connected with that compromise, and who states the part which he and others took in it, and now calls for inquiry. He asserts in the fullest manner the corrupt practices which have prevailed in the borough with which he was connected. He states that one of the Members who sits for that borough went down there in 1839, and knowing the weakness of his chance, determined to carry his election by means of systematic corruption. I merely state the allegations of another. If the House thinks that I am exceeding these allegations, I will read from the petion itself—

"That, from a correspondence which (with the exception of one letter) your petitioner had, for the first time, the opportunity of reading in February last, your petitioner believes, that there existed on the part of a person in London, herinafter named, at that time in direct communication with Mr. Mitchell, a deliberate intention of carrying Mr. Mitchell's election by force of money. That your petitioner is confident that if the select committee of inquiry be granted, such fact will be proved."

He further goes on to say that the election was carried by means of bribery—that it has come to his own knowledge that—

"Your petitioner's London agent discovered that in about nine cases the canvasser whom Mr. Mitchell had borrowed of your petitioner's Bridport agent had been directed by Mr. Mitchell's agents to offer bribes for votes to be given to your petitioner as well as Mr. Mitchell; and that in nine other cases, or thereabouts, the said canvasser had been employed to offer bribes for votes to be given to Mr. Mitchell alone."

The petitioner goes on still further to state his belief of the extensive system of bribery committed in Bridport, and thus refers to the cost of the last contest—

"That your petitioner believes that the gross cost of the said last contest for the borough of Bridport, in June, 1841, exceeded that of all former election contests since the Reform Act; and that the said Thomas Alexander Mitchell expended 3,200*l*. or thereabouts."

And I understand that this is a moderate calculation, that, in fact, the sum was at least a third larger. The petitioner goes on to state that

"The said Alexander Dundas Bailey Cochrane also expended a considerable sum, in amount unknown to your petitioner."

Indeed, by the way, to discover that amount is one of the objects of my motion; and the petition then states that

"Further considerable sums of money have been paid for legal proceedings, and for compromise of actions and indictments by the said Messrs. Cochrane and Mitchell."

Now these allegations do not rest on my testimony—I call your attention to the facts stated in this petition as affording a stronger case than that brought forward by the hon. Member for Bath, because his case rested on very general but vague rumours; this case rests on the petition of a gentleman of honour and credibility, who comes forward and stakes his character on the correctness of his assertions. The second ground for my hon. and learned Friend's committee is, that a compromise had taken place, notwithstanding the nominal return of a committee. Now, strong as the circumstances of compromise mentioned by my hon. and learned Friend were, they are nothing in comparison with the circumstances of the present case. It was alleged in the former instances, that a transfer of the seat had been stipulated for. That has taken place in the present instance. It rests on no rumour. We know, as matter of fact, that a seat had been transferred; that the petitioner has accepted the Chiltern hundreds, and that the hon. Gentleman opposite has been returned. In the present case, too, the circumstances of it particularly invite the attention of the House to the commission of bribery at elections; and not only do the allegations in the petition bear upon a compromise as to the right to a seat, but they refer to actions for bribery which were likewise compromised as the condition of the transfer. In February last there were no less than fifty-one actions brought against Mr. Flight, the agent of Mr. Mitchell (to whose betrayal of what occurred at the election, and the whole of the proceedings which have taken place are owing), for penalties amounting (as we understood) to 25,500*l.* These were allegations of bribery, not resting on a petition—not resting on rumour, but founded on the fifty-one actions brought in courts of justice for penalties which it was hoped might be recovered by the parties who instituted them. There is a paper in the west of England called the *Western Times*, against which it was thought proper to bring an action by Mr. Mitchell, for a libel contained in one of its paragraphs. The proprietor justified; and in doing so he mentioned the names of seventy-one persons, who he said were bribed on behalf of Mr. Mitchell. All the fifty-one actions (and I believe there were some also against the other candidate) were compromised. And the grave matter in the present case is, that not only has the dignity of this House been trifled with by such a settlement of a question brought under its judicial cognizance, but the same truckling and transfer have been made the means of interfering with the ordinary administration of justice, and taking from the purview of the courts of law those actions for bribery which were really brought before them. The result I arrive at then, is, that in the first place, you have here better evidence than that formerly adduced. You are not asked to act on hearsay. You are proceeding on facts which the petitioner alleges there are ample grounds of proving. In the second place, there is this distinction made, affecting the present case, as distinguished from those which my hon. and learned Friend the Member for Bath has alluded to, and that is, that you were there merely called on to prevent a compromise which was about to take place, whereas here the compromise has actually been made and carried into effect. The facts of this case show that the petition has been withdrawn, the inquiry totally suppressed, and the effect of all those arrangements is, that the seat held by Mr. Warburton has been quietly transferred to the hon. Gentleman I see opposite. There is one objection urged against the course I propose, which I do not think will have much weight, and that is, that the committee which my hon. and learned Friend has moved for being appointed, it will be inconvenient and troublesome to add to their labours by bringing this case under their cognizance. I have spoken to my hon. and learned Friend, and he thinks Bridport may, with advantage, be joined to the other boroughs where bribery is alleged to have prevailed. Another objection I have heard stated proceeds on a very obvious fallacy, and is concealed by a kind of error of language which ought to be at once cleared up. It is this—that the present differs from other cases because it has not occurred in the present Session. There is not the slightest validity in such an objection. This petition refers to the same class of allegations as those referred to by the hon. and learned Member for Bath, and whether the compromises were effected in the last Session or in the present, they occurred in consequence of the same election, which took place in June. And it is shielding from a committee of this House transactions of the same nature as those you have already determined to inquire into, if you do not put Bridport on the same footing with the towns already inculpated. I cannot conceive how Bridport can be excluded in the opinion of any one who is anxious to investigate, and expose, and root out bribery from our constituencies. I cannot conceive any argument which can be raised for granting a committee in five cases, and denying the investigation in another, in which the offence and notoriety were equally clear. I shall not further answer any argument that may be brought forward, resting on the justice of the case which I have alleged, until I hear some answer to it. But there is an observation which I think it but fair to the sitting members to make, that the petitioner abstains from any direct personal imputation on their conduct; but I should be acting very unfairly, and in a spirit in which I should not like to be dealt by, if I did not say that the statements were such as any man against whom they were made should be most anxious to meet. There were no harsh terms used; but, I must candidly admit, that the charges brought forward must convey an unfavourable imputation, unless those against whom they were alleged succeeded in rebutting them. Now the charge against the hon. Member near me (Mr. Mitchell) is, that he came to Bridport as a second candidate in the same political interest as Mr. Warburton. Mr. Warburton always carried the election by a large majority, and never found it necessary to have recourse to bribery. [*Cheers.*] I was quite prepared, from the exceeding purity of the hon. Gentlemen opposite, to hear that cheer. It is delightful to me to hear it, because I am sure it was intended to convey the impression that not one of those who joined in it ever paid head money, or spent a farthing in treating. I I was going to qualify what I said by alleging that Mr. Warburton had been obliged to conform to the practice of the borough by spending sums which I must say were unjustifiably large in treating; but as to what is called bribery, by which I understand the payment of particular sums to particular persons for obtaining their votes, not a shadow of such a charge has been brought against him. It is alleged, on the other hand, that Mr. Mitchell had recourse to the most odious forms of bribery, and that its discovery was owing altogether to his quarrel with his agent. He must, then, bear the imputation of having bribery carried on for his benefit, and of having left to another to bear the brunt of a forfeiture which was incurred through his misconduct. The statement I have to make against the other hon. Gentleman is much more difficult to allege in precise terms. I shall give it in the words of the petition:—

"That the conditions which Mr. Cochrane entered into and stipulated with regard to your petitioner, were, that no petition should be presented against his (your petitioner's) return; that his letter of application for the Chiltern Hundreds should not be made known or used before the expiration of the fourteen days allowed for presenting election petitions, and should be returned to him in case Mr. Mitchell should, within that time, agree to vacate his seat, by making a similar application; that the petition against Mr. Mitchell's return, which Mr. Cochrane declared he would not abandon, should be prosecuted in such a way as to save the legal liabilities and reputation of your petitioner's friends; that on this matter your petitioner was informed by Mr. Cochrane and his agent that reliance must be placed on their honour. That on the 7th of September, the day before your petitioner resigned his seat, on his expressing his doubts to Mr. Cochrane and his agent, whether they would be able to comply with the last stated condition; Mr. Cochrane's agent stated, that of evidence to prove Mr. Mitchell's bribery he had such an "*embarrass de richesses*," that he would have no difficulty in proving the bribery, and at the same time saving the reputation of your petitioner's friends. That, from the beginning of February in the present year, to the middle of March, various applications were made by Mr. Cochrane's agent, to your petitioner's agent to furnish evidence in support of the petition against Mr. Mitchell, on the allegation that the evidence of bribery, in the possession of Mr. Cochrane's agent, was insufficient for the purpose of rendering the opposition to that petition frivolous and vexatious; and ultimately a letter was received from Mr. Cochrane's agent by your petitioner's agent, stating that if the evidence required was not supplied by a given day, Mr. Cochrane would abandon the petition. That your petitioner's agent doubting the intention of Mr. Cochrane's agent to prosecute the petition, but not choosing that he should have the plea of abandoning it for want of evidence, promised to furnish the proofs required, and did furnish them by the appointed day; but the day before that appointed for delivering the proofs, which latter was the 21st March, your petitioner was informed by a letter from Mr. Cochrane that he had abandoned the petition, and on the same day, viz., the said 21st of March, the petition against Mr. Mitchell's return, and the petition against Mr. Cochrane's return, were both withdrawn, and the proofs furnished by your petitioner's agent were returned unopened. That in the course of obtaining the said proofs, your petitioner's London agent discovered circumstances which were not communicated to your petitioner until the 25th of March; and which, if your petitioner had known at the time of his said compromise with Mr. Cochrane, would have induced your petitioner not to enter into such a compromise."

I state these bare facts without the least exaggeration, and I should be justly thought wanting in due consideration for others, if I brought forward a charge, involving not only matter of public importance, but affecting private character, without giving the precise allegations of the petition. And I must say, that it is an additional ground why the system of bribery at elections should be extinguished, that the compromises to which it leads do give rise, justly or unjustly, to incidental charges of a personal nature. I beg to move

> "That an inquiry be made into certain corrupt compromises alleged to have been entered into for the purpose of avoiding investigation into gross bribery which had been alleged to have been practised at the election for the borough of Bridport in June last, and also whether such bribery has taken place in the aforesaid town."

Mr. *Cochrane* rose with more than ordinary anxiety, because he felt, that he was going to trespass on the time of the House upon no question of public importance, but one which related personally to himself only. On the other hand, however, he felt that the House would consider it as of some importance that no suspicion should attach to the character of any Member of that House; and also that any Gentleman presenting a petition of this nature to the House should be able to substantiate every statement he put forth. Therefore, he trusted the House would listen to him with indulgence, and he would endeavour to be as brief as possible. The hon. Member for Liskeard had truly stated, that no direct charge had been made against him, but that the inference was, that he had entered into compromise and arrangement with Mr. Warburton, which he evaded upon obtaining his seat. He would, therefore, state the facts of the case, and happy he was to have an opportunity of doing so, not only on account of the statement that had appeared in the petition, and as it had been made in the House, but because prior to this inquiry in the House, his conduct was the subject of much comment out of doors. The first paragraph in the petition which referred to him was in page 4—

> "Your petitioner ascertained that Mr. Cochrane was principally minded to unseat Mr. Mitchell."

But he would not read the whole, it was unnecessary. The inference to be drawn from that was, the hon. and learned Member said, that he sought out Mr. Warburton and gave him the information. Now, on the 24th of May, he thought it was, prior to the first date mentioned by Mr. Warburton in his petition, the day that the election petition was to have been presented, Mr. Warburton sent his agent to his (Mr. Cochrane's) agent to request a delay of twenty-four hours, in order that certain negotiations might take place which were to give him the seat, and he objected to any such negotiations *in toto*, and declared that he intended to present the petition. But he afterwards gave way, and the next day another delay of twenty-four hours was asked, and then Mr. Warburton's agent said—

> "If Mr. Mitchell does not accept the Chiltern Hundreds in this time, Mr. Warburton will."

But that was not stated in the petition. On the morning of the 26th we stood in this position, said the hon. Member, I expected on that morning that either Mr. Mitchell or Mr. Warburton would take the Chiltern Hundreds. Mr. Warburton requested an interview that evening, and said—

> "I shall not take the Chiltern Hundreds. I did not know that you had alleged anything against my personal character—that I had committed bribery."

And then he said—

> "I have Mr. Cochrane, a high character for purity to support."

"And," he added, "I cannot shrink from this investigation." I told him I thought it extraordinary that he should seek that interview at that late period, and that I had never sought any delay in presenting the petition; and that, under the circumstances, I certainly should present it. A long conversation ensued, and Mr. Warburton said he would accept the Chiltern Hundreds; and there was an established understanding between my agent and Mr. Warburton's agent, that a petition was to be carried against Mr. Mitchell so as to obtain the seat ultimately for Mr. Warburton against Mr. Mitchell. Mr. Warburton at that time held out as an inducement to me to proceed with the petition, that the result would be, I should obtain my seat.

"That," said he, "is your object; and we shall have our seats, one and one. It will be a snug borough for both of us."

After fourteen days had elapsed, we expected that Mr. Mitchell would vacate his seat. Mr. Warburton has printed in his petition a letter in reference to this point which was kept under lock and key. Mr. Warburton had stated to me—

"The seat will be vacated by my Colleague taking the Chiltern Hundreds."

I wrote down to Bridport that Mr. Warburton's conduct was most honourable and straightforward. ["Hear, hear."] Yes—straightforward. I do not wish to retract a word of what I said. But I think it a little ungenerous that Mr. Warburton should publish my agent's letters, and forget his own. There is a letter of his dated the 9th September, in which he says—

"The more weight you can throw into my scale, by stating, that throughout the whole negotiation I have been actuated by honourable feelings, and by a desire to save my friends and the borough from disgrace, the greater will be my influence in leading my party to attend to reason."

Although there was to be no opposition, upon my arrival at Bridport I found such opposition threatened; and I must call the attention of the House particularly to this, because it may be considered as affecting my character. From both of those Gentlemen whose neutrality had been assured to me before I left London, I found opposition, and upon that occasion Mr. Warburton's agent, who had been present at every conference in London said,—

"I give you full and entire leave to withdraw the petition against Mr. Mitchell, if you choose to do so, in order to avoid this opposition."

My answer was, that—

"I did not consider I should be acting right in taking advantage of that casual circumstance, because I thought that the petition would induce Mr. Mitchell to resign his seat before February, and therefore out of a feeling of regard for Mr. Warburton I would not avail myself of that opportunity of avoiding the opposition."

I knew there was an implied understanding that there should be no opposition. But afterwards a special arrangement was obliged to be entered into to avoid that opposition against which I had a previous guarantee. There was also a second article of agreement, that the petition was to be prosecuted only upon such documentary evidence as would not implicate any other person, and if it proved insufficient, the petition was to be abandoned. I hope the hon. and learned Member for Liskeard was not aware of this arrangement, which was subsequent to that entered into in London, which it therefore superseded; and it was most unjust, if he was aware of that fact, not to put it into the petition, because that completely changes the whole subject. And how did he carry out that article? I thought I had obtained, by Mr. Warburton's own confession, a compromise of two years. But he was not satisfied. I went to very great expense; and I remember, that Mr. Warburton said, he would leave the expense an open question. I don't know what he meant by an open question, but the only result is, that I have paid all the expenses. From time to time, it was proposed, that the petition should be withdrawn, but what was the course which Mr. Warburton took? He did not say, go on with the petition, but always "postpone it, put it off until February." And what does he say in the letter I will now read to the House, of which letter there is only a garbled extract in the petition? Here is an extract from a letter from Mr. Warburton to Mr. Leman:—

"Calm reflection upon the state of my case, and your own sense of what is just and honourable, will, I feel confident, lead you and Mr. Cochrane to a right determination, in the mean time there can be no occasion for any hasty or precipitate judgment on your part. I must request you to confer with Mr. Parkes on the matter, to whom I have only said, that in my judgment I stand in that position that no appeal made to me as to what Mr. Cochrane shall or ought to do, can with propriety be answered by me. If I advise one course, my friends will consider me as abandoning them, and as sanctioning the most monstrous injustice; if I advise another course, it may be imputed to me that I have conspired to turn Mr. Mitchell out of his seat. That to Mr. Cochrane and his advisers, therefore, I must leave undivided the responsibility of determining on their course of action."

The time drew nigh, and the open question of expense still remained unsettled, and I found it necessary to proceed, and the opinion of my counsel was:

"Under the circumstances, we should strongly advise you to spare no pains in ascertaining the nature of Messrs. Nicholetts and Cornish's evidence, but especially the latter, as a point of essential importance to the success of the petition, and especially with reference to the costs."

I did not have the benefit of the evidence I expected, so that we could not carry out our object. At last, some documentary evidence was supplied, but under a protest against its being made use of. About twenty-six days before, notice was received that actions had been commenced against our friends in the borough of Bridport, and that they were to be tried in the next week at the Somersetshire assizes, in about eight days' time. Pardon me, now, for just recapitulating the points of the case thus far: Mr. Warburton had promised to take the Chiltern Hundreds; he evaded that, and then came an implied arrangement for withdrawing the petition, and this was subverted by a partial arrangement entered into at Bridport; and we endeavoured to carry out—I can say with great expense and anxiety — the spirit of that arrangement, until we found that we could not carry it out without implicating all parties, which would have been contrary to the second article of the agreement. Why, surely that was right? Mr. Warburton does not want to be implicated; for had the expected evidence been forthcoming, would it not have been proved that he had bribed eleven persons. [Mr. *C. Buller*: No, he does not say so.] However, I will say, that if that evidence had been gone into, Mr. Warburton would never have been able to show his face in Bridport again. I say it openly. The time was pressing, and I sent Mr. Warburton this letter:—

"*London, March* 20, 1842.

"My dear Sir,—I learn with much regret from Mr. Leman, that due notice was given on Friday last, in the cases of bribery brought against two of my friends at Bridport, and that they will be tried at the next Somersetshire assizes, on the 28th inst.

"I think you will do me the justice to admit, that no effort has been wanting on my part to obtain Mr. Mitchell's resignation of his seat, and that I have never attempted to avail myself of the frequent opportunities afforded me by yourself and your agent, Mr. Nicholetts, for abandoning the petition, notwithstanding all the harassment and anxiety to which I have been subjected for the last six months; for I was resolved, contrary to the expressed opinions of my friends and advisers, contrary also to my own deeper convictions, to submit patiently to every inconvenience, so long as it should only affect myself, in the vain hope of ultimately succeeding in carrying out our object.

"But as it is now quite clear, from the course which Mr. Mitchell is pursuing, that there is no longer the least probability of inducing him to yield, and as my friends at Bridport, in addition to much annoyance and expense, may be subjected to very heavy penalties—while, moreover, it is impossible, in the altered state of parties, to conduct the petition in the terms of the arrangement entered into by your agent, Mr. Nicholetts, with any prospect of success—I feel it would be wrong in me any longer to act as if my own interests were alone concerned, and that it is my duty to take into consideration the feelings and opinions of others.

"Upon these grounds, after due deliberation, and acting under advice, I have resolved to allow the petitioners to act as they may judge best, in the full conviction that this is the course which I ought to have adopted long since, and which can alone rescue the borough from disfranchisement, and your friends from disgrace.

"I am, my dear Sir, your's truly,
"ALEXANDER COCHRANE."

"Henry Warburton, Esq."

I have endeavoured to put the case, with respect to the conduct of Mr. Warburton, as clearly as I can, though I wish to touch as lightly upon it as possible. At the same time, I should be wanting, not only in duty to myself, but to the House, if I did not, after such a petition has been presented, give every information in my power, and read every paper that can throw any light upon it. I have read nothing that was private and confidential; but, on the contrary, the whole of the letters published in his petition were private and confidential. I give Mr. Warburton the advantage of that. But I am sure the House will be astounded at what I am about to state. While I was carrying on the matter to endeavour to obtain Mr. Warburton his seat, it came to my knowledge, that he was endeavouring to undermine me, and stating at Bridport that he never wished the petition against Mr. Mitchell to go on, and that I was trying to get the borough disfranchised, and acting in decided opposition to his wishes. In proof of this, I will bring forward some evidence. During the month of September, my agent told me that he had received a request from Mr. Warburton's agent, that he would write a letter stating, that he did not wish the petition against Mr. Mitchell to be proceeded with; and though it was not then clear for what purpose such a letter could be required, my agent did write the following:—

Bridport, Sept. 13, 1841.

My dear Sir,—I have no hesitation in saying, that at my first interview with Mr. Warburton and yourself, Mr. Warburton said, that although for the sake of his friends in this borough, he had determined to resign his seat, yet that he wished no farther proceedings should be taken on the petition against Mr. Mitchell; and I may add, that when some unexpected difficulties, in carrying out our arrangements made in London, presented themselves, on my arrival here on Friday last, you at once, in order to remove some of those, proposed on the part of Mr. Warburton, that the petition against Mr. Mitchell should be withdrawn; but to this, as unfair to Mr. Warburton, some of the Gentlemen of the Liberal committee decidedly objected."

The meaning of this proceeding soon became obvious, for a handbill was published containing the spirit of this letter, as a proof that Mr. Warburton had nothing to do with the petition against Mr. Mitchell's return, so that if anything happened Mr. Warburton would be able to say, that Mr. Cochrane had caused the disgrace and disfranchisement of the borough, in spite of the entreaties of Mr. Warburton. But there was a most singular letter which Mr. Warburton sent down to the borough of Bridport, addressed to a friend, I believe his agent, which I will read:—

London, Sept. 9, 1841.

" My dear Sir,—I understand that the news of my retirement, and the proposal of Mr. Cochrane being allowed to walk over the course, have occasioned great excitement among many of the Liberal party in the borough.

" So far as this affords evidence of their warm attachment to the cause in which we have been associated together for so many years, it is only what I expected of them, and is to their credit; but when their first warm and generous impulses have subsided, and the hour for reflection has arrived, let them consider and reconsider well the consequences of the course which at present they feel inclined to pursue.

" Deeds have taken place, as I am now informed, during the late election at Bridport, which cannot be exposed to the day without covering with disgrace those who have been implicated in them. Of these transactions I am personally entirely clear, and nothing that would leave a stain behind attached, I believe, to any one for anything done on my account at the late election. Not so, as I am informed is the case with regard to the election of others who were candidates. Many of my best friends and supporters are deeply involved, as I am told, in transactions that would be injurious to their private reputations, and highly discreditable to the borough; those transactions having taken place, not to advance my cause, but the cause of others.

" It is to save the reputation of individuals whom I have long known, and whom I highly esteem—it is to save the character of the constituency of a borough which I have so long represented—that I have been induced to offer my seat as a propitiation to those who had the reputation of the individuals and characters of the constituency placed at their mercy. I do not say that that was my only inducement but it has been my principal one.

" If my friends and supporters now take any step to call public attention very particularly to what is passing in the borough, and to irritate those who have it in their power to crush the reputation of certain individuals, and cause a full and searching investigation into all that passed at the late election, the sacrifice of my seat will have been made in vain. I shall see my friends destroyed, and the borough of Bridport will stand classed with those of Stafford, Evesham, Shoreham, Aylesbury, and others, which have been handed down as the most notorious in the annals of borough venality and corruption. It is also not improbable, that on the report of the election committee for trying the return of Mr. Mitchell, such a case may be disclosed, that the issuing of a new writ may be suspended; that, as was the case with the borough of Stafford, Bridport may be only partially represented for a long period, and that, on the report of a select committee of inquiry, the borough may be either disfranchised altogether, or the Liberal interest may be swamped by incorporating with the borough a large surrounding rural district. All this I have endeavoured to prevent by the course I have taken. My excellent friends do not know on what a volcano they are treading. It has been my misfortune of late to give warnings against approaching evils, and, like Cassandra of old, not to have my warnings listened to. Let not my excellent friends in the borough, for whom I have the sincerest regard and affection, be added to the number of those who have scorned my advice.

" I adjure them, if I ever deserved well at their hands for my conduct in Parliament, and for the last act of my devotion to them in retiring from Parliament, not to be parties to any attempt to return a Liberal Member for the present vacancy, but to yield to the force of existing adverse circumstances, and to live in the expectation of a more propitious future.

" My dear Sir, yours most truly,

HENRY WARBURTON."

The hon. Gentleman proceeded to remark, Would it be believed that any gentleman who had written such a letter would have placed such a petition as he had in the hands of a Member of that House? In what he had stated to the

House he had not, to his knowledge, extenuated a single circumstance, and he was quite sure that he had not "set down aught in malice" towards Mr. Warburton. He was confident, moreover, that if every fact connected with the case were fully investigated, the result would, on the contrary, rather strengthen than weaken the view and the facts which he had represented to the House. He had himself been led on, day by day, in a course which his better reason condemned; and it was in that way that he had been induced to give an apparent sanction to pretences that were opposed to all argument and truth. He by no means wished in any way to make any unkind remark as regarded Mr. Warburton. Indeed, he had been almost pained in stating what he had done; but he certainly did feel, reflecting on the conduct of that gentleman towards him, that, to use the mildest term, it had been ungenerous; for he thought that to make any statement that was calculated to affect injuriously the character of a person just entering upon political life was only justifiable where the case was such that every fact could be fully and entirely supported. But he could not so lightly pass over the question of the conduct of Mr. Warburton as regarded the borough of Bridport itself, or of the truth of the allegations which he had made respecting it, as they appeared in the body of the petition. In the first page of that petition he found it stated, that in 1826, when the petitioner first became connected with the borough, he found that it was an established custom to pay head-money, and that twelve months after his return for the borough he paid to his agent the sum of 3,000*l.*, which he had no doubt whatever was appropriated to the payment of head-money. Now, what had Mr. Warburton himself stated on another occasion with reference to this very subject? It appeared in the reported debates of the House of Commons, that on the 11th of February, 1831, Lord Ebrington presented a petition from a gentleman at Bridport complaining that for a long time past the electors had been accustomed to receive 10*l.* each for their votes. On that occasion Mr. Warburton stood up in his place and said:—

> "The gentleman whose name is attached to the petition is certainly of a very respectable character; but I have a petition to present this night, from a very numerous body of my constituents, praying for Parliamentary reform, and none of them, I am sure, was ever concerned in the practices referred to; this is the second petition I have had the honour to present from them in favour of pure election. I can say that at present there is nothing of the kind known, not even in the shape of treating —some days after the election successful candidates give one dinner, and that is all—so that I believe that if there existed, in other parts of the country, nothing worse than the course pursued at Bridport, there would be no great need of reform."

Now, really he could not conceive, and he must say, that he did feel astonished and excited at the consideration of it, how any gentleman who had made such a declaration as this in the House of Commons could afterwards have ventured to present such a petition as had been presented by the hon. and learned Member from Mr. Warburton? And with regard to the borough itself, he repeated, that he felt deeply the position in which Mr. Warburton had placed them. By his own statement, that Gentleman had been returned three or four times for the borough at hardly any expense; and what was now the testimony of his gratitude towards the electors? How was he now acting towards those excellent friends of whom he spoke so highly? Why, he was the very person to turn common informer against them; he was the very man to come forward and make his own deeds—these which he had himself stated in the petition—the ground for subjecting them to disgrace and ignominy. He could not understand the change that had come over the spirit of his dream. A short time since Mr. Warburton was ready, like a second Curtius, to leap into the gulf to save the reputation of Bridport, he was now ready to throw all his excellent friends into the chasm in order to fill it up. Mr Warburton, it was said, had transferred his affections to another borough, and was therefore regardless of the claims of his first love. With respect to the general question if bribery had been practised, or the ends of justice defeated by compromises, it was a fair subject for consideration; but he would rather remedy the defects of the law than punish those who take advantage of them. If they added Bridport to those boroughs which are to be the subject of inquiry would they not also add Tiverton and Stroud? The hon. Member for Bath asks for a bill of indemnity for witnesses; but it ought rather to be called a bill for the extension of perjury. There will be no lack of witnesses so long as they are supported at the public expense, and their evidence will be limited only by the extent of your generosity and credulity. The power which the House seems now disposed to exercise might, in the hands of a corrupt majority, and a corrupt Ministry, be made subservient to the basest purposes. Of all tyrannies that most to be guarded against is the tyranny of a majority, and of all privileges those which ought to be most scrupulously protected, are those of the minority.

Mr. *Mitchell* said, if the hon. Member who had just sat down had felt an anxiety in rising on this occasion, how much the more must he feel anxious: for he had to explain his conduct, not with reference to a political enemy, but with reference to a gentleman who was said to be his friend, and with whom, or, at least, with his friends, he had had the honour of acting in conjunction at the last election. It was no light matter for him to be brought into collision with a gentleman like Mr. Warburton. He was not there to attack Mr. Warburton's public character. Though he differed from him on some political points, still he fully appreciated the uniform tenour of his public life. He had entered the House as an independent Member, and he had maintained his course as such. Therefore any remarks which he might think it his duty to make on the private character of that gentleman would be made with the more reluctance, because he must always regret when the private character of any man whose public character stood high was made in the slightest manner the subject of reproach. If the character of Mr. Warburton sustained any injury he had brought it upon himself by the course he had pursued in this affair. Before proceeding to remark upon the allegations contained in Mr. Warburton's petition he must refer for a moment to a statement which had been widely circulated in the clubs, though Mr. Warburton was too wise to introduce an assertion on the subject into his petition. This assertion was, that he had acted with great ingratitude to Mr. Warburton, because he owed his seat for Bridport, it was said, to the influence of Mr. Warburton. Though Mr. Warburton had made this statement very generally in private, he had been too prudent to place such an assertion in his petition; for Mr. Warburton well knew that if such a statement reached the ears of his late constituents, the great body of them would be aware of the inaccuracy of the assertion, well knowing that he obtained his election independently of Mr. Warburton's influence. He went down to Bridport without holding any communication with Mr. Warburton as to the exercise of his influence on his behalf; and he owed his return to his own zeal and to his connection with parties in the borough who possessed influence—not in the slightest degree to any influence of Mr. Warburton's. The first of Mr. Warburton's statements to which he would refer was not of great importance, but it might be made a test of the accuracy of several of the allegations in the petition. Mr. Warburton alleged in the petition that he had an interview with his agents, who stated, that a difference had arisen between them and himself, and requested Mr. Warburton's mediation; and Mr. Warburton proceeded to state, that,—

> "In consequence of such application your petitioner on the following day saw Mr. Mitchell for the first time since your petitioner knew of his being a candidate; and in the course of that interview your petitioner informed Mr. Mitchell of his estimated very narrow majority (four votes), and warned him, in case he should continue to be a candidate, carefully to avoid having any difference with his agents, and advised him to weigh well the discretion of continuing a candidate under these circumstances."

This statement of the interview was totally incorrect. Mr. Warburton certainly advised him to make it up with his agent; but Mr. Warburton never said a single word to him as to the estimated narrow majority of four. Mr. Warburton never said that his election was certain, but he never mentioned the estimated narrow majority. Mr. Warburton at that interview urged, that from his connexion with gentlemen residing in the borough, if he quarrelled with his agent, and did not go down to Bridport (a course which, in consequence of that quarrel, he at one time contemplated), the electors would consider that he had been ill-treated by his agents, and that the probability of the success of another liberal candidate would therefore be diminished, thus risking the loss of a vote to the liberal party in that House. He pledged his honour as a Gentleman and as a Member of that House, that this was a correct statement of the interview; but this was a personal question between himself and Mr. Warburton, for no other person was present at the interview. He would mention another circumstance which might serve also as a test of the accuracy of the other allegations of Mr. Warburton. Mr. Warburton stated,—

> "That, from a correspondence which (with

the exception of one letter) your petitioner had, for the first time, the opportunity of reading in February last, your petitioner believes that there existed on the part of a person in London, hereinafter named, and at that time in direct communication with Mr. Mitchell, a deliberate intention of carrying Mr. Mitchell's election by force of money."

Mr. Warburton, therefore, intimated that he had at that time formed a deliberate intention of carrying his election by force of money.

> "I wish to state, in the most distinct and solemn terms," (said the hon. Gentleman,) "as a Member of this House, as a gentleman, and as a man of honour, that so far from having any intention in 1839 or 1841 of carrying my election for Bridport by force of money, when I went down to the borough to canvass I had not, so help me God, the slightest intention of paying a single farthing in bribery. The statement in the petition is totally incorrect. I cannot answer for the acts of others; but on my honour, as a Member of this House, when I went down to canvass, not only in 1839 but in 1841, I had no intention of bribery."

This statement could be strongly corroborated by the circumstance that, before he went down to Bridport, he entered into an arrangement with his agents that his expenses should be guaranteed not to exceed a certain sum. That sum was less than Mr. Warburton—according to his own admission—had ever spent at any election for that borough. [An hon. *Member:* "State the amount."] He would not state the amount. The expenses might be only 500*l.* for aught he knew, but they were not to exceed a certain sum. In proceeding to his next point he might observe that what he had stated on a former occasion with reference to a gentleman of the name of Hutchinson—whose name he conceived had been brought forward most unnecessarily and most unhandsomely by Mr. Warburton—had been misconstrued. It might be inferred from Mr. Warburton's statement that Mr. Hutchinson was his paid active agent, who went down in the same manner that Mr. Coppock, or such a gentleman might be. That idea was wholly unfounded. Mr. Hutchinson was a gentleman of high standing as a merchant in London—a gentleman, he would boldly say in the face of the country, whose honour and integrity were unimpeachable. Mr. Hutchinson was his personal and particular friend, and having for many years had direct communication with most of the manufacturers in Bridport, he possessed considerable influence in the borough, and that gentleman accompanied him as a friend. When he entered the House the other evening, the hon. Member for Liskeard (Mr. Buller) was at the moment reading this extract from the petition,

> "That the said Thomas Alexander Mitchell expended 3,200*l.* or thereabouts, besides other sums laid out on his behalf by his agent, Matthew Hutchinson, jun."

When he heard that statement read, he denied that Mr. Hutchinson was his agent, and he still denied it, though he did not know what that House might hold to be agency in a legal point of view. With reference to the "other sums" alleged to have been expended on his behalf, he begged to state distinctly, on his honour as a gentleman, and as a Member of that House, that though he could not say whether those sums had or had not been spent, he had never paid one farthing of them, he had never received any account of them, he had never promised to pay them, he did not mean to pay them, nor were any relatives of his to pay them for him. He guarded his statement. He did not mean to deny, that money might have been expended, but he did state that it was not his money or that of his relatives. It was alleged in the petition, that bribery had been committed after he went down to the borough. He would not go into detail on this subject. Though he had not had the honour of representing the borough of Bridport for sixteen years — though he was not bound to his constituents in that borough by such ties as those which connected Mr. Warburton with them, yet no temptation should induce him to come forward in that House as a common informer, to denounce those whom he had represented. He would not go into the allegations of bribery; he would merely state that many of them were untrue. He would, however, make this remark, that, even if those allegations were true, the circumstances alleged must have become known to Mr. Warburton in the interchange of strictly confidential communications between Mr. Warburton's friends and his friends, who had acted together; and he considered that Mr. Warburton, in publishing them to the world, was guilty of a gross breach of confidence, such as he trusted he was too much a gentleman ever to have committed. Mr. Warburton asserted, that he knew nothing himself of any bribery, that he had one sole agent, in whom he placed implicit confidence, and that he remained in London while his agent was at Bridport conducting his election. Now, he was not going to accuse Mr. Warburton of bribery; but he thought, that if Mr. Warburton had intended to practise bribery, professing not to be conscious of it, he could not have adopted a more convenient course than that of remaining in London, and giving his agent a *carte blanche* to act as he pleased. Mr. Warburton stated, that at the last election he spent 2,100*l.*, or thereabouts, and that at each previous election he had spent about 1,700*l.*, and he stated, that he was informed that the increase of 400*l.* on the last occasion had been caused by sundry breakfasts having been given on the day of election. Now, he was informed, that breakfasts similar to those referred to had been given by Mr. Warburton at the three previous elections. The expense of those breakfasts could not, however, possibly exceed 50*l.* He thought he might ask in what manner the remaining 350*l.* had been spent? He was aware, that Mr. Warburton placed such confidence in his agent, that when he received a bill, he paid it at once. That was a very convenient course. Mr. Warburton alleged, that his agent at the last election lent 150*l.* to his (Mr. Mitchell's) agent. The fact was, that their respective agents were extremely intimate, and he believed his agent applied to Mr. Warburton's agent for that sum, but certainly without the slightest occasion, for the money for every necessary expense of the contest was advanced before the election to his agent. He was totally ignorant of the application on the part of his agent for the advance, and it was made without any necessity. He now came to what he regarded as the most important point in the case—the question whether or not he had sacrificed Mr. Warburton at the last election. Mr. Warburton had alluded to his rupture with his agent. Though he refused the payment of his agent's accounts, they were guaranteed by gentlemen totally unconnected with him, though they were his constituents. He now came to what took place in August. Some little time before the meeting of Parliament, Mr. Warburton said he came to him and wanted him to pay his agent his account, because he said he should otherwise himself be implicated in that transaction. Now, he had never received such a communication, and that was another instance of inaccuracy on the part of Mr. Warburton. Mr. Warburton had never said anything of the kind in any shape or manner to him. Mr. Warburton's agent came to him the day before the meeting of Parliament, and said, "A certain disclosure of secrets has taken place, and you must resign your seat at once." He said, "This is the first I have heard of it." As might be expected, he was at first taken quite aback, and said to him, "I will see you about it to-morrow." The next day, he had a long conversation with him, and said to him, as he was the second candidate, if it were necessary for either of them to resign their seats, it was his duty to do so; he admitted that to Mr. Warburton's agent in the most distinct terms. He said to the agent—

> "I have had a great deal of trouble with this election; it has been the great object of my ambition; I have been looking forward to it for years; there can be no election petition presented now; give me time till the winter to see if I can make a defence to this petition. I think you make a most unprecedented demand on me to resign my seat eight months before any election petition can come on, without my having made any inquiry whether I can defend my seat. I implore Mr. Warburton—I implore you to reconsider the subject; there can be no necessity for Mr. Warburton to resign his seat, give me time till the winter, and, if necessary then, I fully admit I am bound to resign my seat."

On a subsequent day he had another interview with the agent, who said to him—

> "Mr. Warburton is determined that not even a petition for bribery shall be presented against him, and you must resign." "Good God," said he (Mr. Mitchell), "Am I to be sacrificed to Mr. Warburton's purism? Why, a petition may be presented against the return of Sir R. Peel for bribery. Am I to be called on to sacrifice my seat in this manner? We can pretty well defend ourselves against the other side, is it fair to call on me six or eight months before hand to resign my seat in the House? I fully admit that I must resign it if necessary in the end, but I say it is not necessary at present."

He (the agent) said—

> "Mr. Warburton has made up his mind, and therefore, if you do not resign he will."

He said—

> "I implore Mr. Warburton to reconsider the subject."

"No," (the agent) said—

> "He has made up his mind; he will accept the Chiltern Hundreds if you do not, and he will leave you in free and undisturbed possession of the seat."

They should hear afterwards in what "free and undisturbed possession" Mr.

Warburton had left him his seat. But the agent said so. Mr. Warburton's agent then went to Bridport, and endeavoured to get up a requisition to him to resign his seat. The first gentleman he applied to had proved himself Mr. Warburton's friend, and certainly a judicious one. He said—

> "No, I will not sign the requisition, for there is not the slightest necessity shown for either one or the other to resign."

Finding the attempt to get up this requisition to be a failure, Mr. Warburton resigned his seat at the end of fourteen days. The next proceeding had, he thought, been pretty fully detailed by his hon. Colleague. It appeared to Mr. Warburton that by far the cheapest plan was to resign his seat, and to make an agreement with his hon. Colleague to turn him (Mr. Mitchell) out at his hon. Colleague's expense. As that would be by far the cheapest plan. Mr. Warburton held out very strong inducements to his hon. Colleague to pursue that plan, for Mr. Warburton was enabled by his influence in the borough, not only to procure his own return, but that of his hon. Colleague also, though in an interest contrary to the principle he had all his life advocated. "But," Mr. Warburton said—

> "I will go further than that we will divide the borough between us."

That Mr. Warburton in terms said was the cheapest way of getting him out of his seat—giving up the borough, giving up the party, giving up everything, so that he could keep his seat. Mr. Warburton had not been inactive in carrying out that proposition; for not only did Mr. Warburton get up a petition against him, but Mr. Warburton identified himself with all the acts of bribery in the borough, and it appeared that Mr. Hutchison and his friends were to be ruined for the purpose of enabling Mr. Warburton to walk into his seat. He now came to a further point. Mr. Warburton said in his petition—

> "That on or about the 24th of January, it was signified to your petitioner's agent by Mr. Cochrane's agent, that Mr. Mitchell's agent had intimated the willingness of Mr. Mitchell to refer all matters in dispute to arbitration, and to that proposal Mr. Cochrane's agent begged to know whether your petitioner would consent, to which your petitioner replied that he would, if the arbitrator were to be empowered to examine him and Mr. Mitchell, and were to regulate his decision by the rule of honour between gentlemen; and your petitioner is informed that on your petitioner's answer being communicated to Mr. Mitchell, he disavowed having ever authorized such a proposal to be made."

The fact was, the first proposition was made by a gentleman, a friend of both parties, not by him, to submit the case to arbitration, certainly not with his sanction. and Mr. Warburton distinctly refused to agree to it; and it was only a fortnight or three weeks afterwards, when he found things taking a very unpleasant turn, that he agreed to submit the case to arbitration. But Mr. Warburton did not say one syllable about that. He only stated that to show how the petition was got up. He now came to the ground Mr. Warburton had stated for calling on the House to submit this case to the inquiry of the committee that had already been appointed; and on that point he could not but observe on the remarkable absence from the House of the hon. and learned Member for Bath, who had proposed that committee. ["An hon. *Member*: He is present."] He did not see the hon. Member. He meant to call the attention of the House to that as a remarkable fact. ["An hon. *Member*: He has this moment left the House from indisposition."] With reference to the compromise he could not go into any compromise that took place in August last between his Colleague and Mr. Warburton, as affording ground for this inquiry. All he said was, that this inquiry was principally directed against him; but he had been no party to that compromise, and he did not see why Mr. Warburton was entitled to call for any inquiry. If he were rightly informed, in the five boroughs included in this inquiry there had been an agreement in every case entered into, that one of the sitting Members should vacate his seat by a certain period, and a certain sum of money was paid down as a pledge to secure this. Was he in that position? He had stood his ground manfully from first to last. There he was; he had not admitted his guilt, or vacated his seat. His hon. Colleague had stated the reason why he withdrew his petition; he had withdrawn it, because he was called on to carry it on for the benefit of another at his own expense. Why did he not go on with his petition? Because his hon. Colleague had been elected on a fresh writ in September, and his counsel had given it as their decided opinion that his petition was but waste paper; because, if he could prove bribery in the gravest manner against his Colleague in the June election, that could not be brought forward in a petition against his election in September. He did not, therefore, go on with a petition for which his counsel told him there were no grounds. If that were compromise, then every petition withdrawn was compromised, and was a fit subject for inquiry. He should have no difficulty in bringing down to-morrow twenty petitions in which similar compromises had taken place, because the petitioners had thought fit to withdraw them. If this case were a fit subject for inquiry, they were all so. The hon. Member for Liskeard had stated, that part of the compromise was, that fifty-one actions, incurring penalties of 25,000*l.*, which had been brought against him, were to be withdrawn; but he would leave the House to judge, whether bringing an action or carrying it out were the same thing. The bringing of these actions had been intended to frighten him, but it had not had that effect. These actions had been given up, because those who brought them had not the slightest hope of success. They had been given up three weeks or a month before this petition had been got up against him; and, therefore, that part of the argument of the hon. Member for Liskeard fell to the ground. What then was the effect of the petition? To denounce the very individuals whom Mr. Warburton resigned his seat in September last, (according to his own account) to serve. He would take upon himself to say, that if the House, on allegations of bribery, brought forward by a disappointed candidate, who had been himself convicted of bribery by his own showing, appointed this committee to inquire, they would have nothing else to do but appoint committees to inquire from year to year. There was only one more point to which he would call their attention—it was the question whether he had sacrificed Mr. Warburton or not. He said distinctly he had not; no such thing could be alleged against him; he felt that he had acted correctly throughout; that Mr. Warburton had not a right to demand the resignation of his seat when he did; and therefore that he was fully absolved from the imputation of any breach of honour towards Mr. Warburton.

Sir *T. Wilde* said, that having listened with attention to both the hon. Gentlemen who had just addressed the House, he did not deem it necessary to trouble the House with any remarks as to the reference of the petition to the committee because those two hon. Gentlemen had made such statements to the House that he conceived there could not be a moment's hesitation as to the propriety of the petition being so referred. The statements of those hon. Gentlemen had not only confirmed all the material allegation contained in that petition, so far as they related to the reference to the committee, but they had actually gone beyond them, and now rested upon authority which could not be disputed, namely, the admission of the parties themselves. As Mr. Warburton was a friend of his ["hear"]—he felt no necessity to disavow Mr. Warburton's acquaintance. He knew of no discredit attached to it. While avowing his friendship for that Gentleman, he was not aware that that circumstance the less entitled him to be heard when he rose for the purpose of setting that Gentleman's character before the House in the light in which he honestly believed it ought to be regarded. He asserted his friendship with Mr. Warburton that due allowance might be made for anything that might fall from him in the course of the observations which he felt it his duty to make. The petition came before the House in a judicial form. The House was called upon to exercise its judgment upon it, and to refer it to a committee for inquiry. If any person who had been in the House should have considered what was the general impression with respect to that tribunal, or should have reflected what attributes properly belonged to a judicial tribunal, when called upon to exercise an important function, how much must they have been struck when they observed the loud and continuous cheers with which every statement reflecting upon the party appealing to that tribunal for justice, had been met by the other side of the House. He appealed to the House whether one single remark reflecting upon Mr. Warburton had not been received with marks of gladness by hon. Gentlemen on the opposite side. And upon what occasion? Mr. Warburton's situation stood in peculiar contrast with that of the two hon. Members whose remarks had been so loudly cheered. That contrast was to be presented in two respects. First, Mr. Warburton was not there to be heard on his own behalf. The other two hon. Gentlemen had been heard in their own behalf and most ably they had spoken. Mr. Warburton in the second place was praying for an inquiry, pledging himself to prove the allegations of his petition before a committee. The other hon. Gentlemen were there on the spot making their contradictions and opposing inquiry. Mr. Warburton said, "You make charges against me—my character is involved. Bring me to trial, and let me hear and meet the charges." [An hon. *Member:* The Bill of Indemnity.] He contended that Mr. Warburton was there, because charges were made against him. ["No, no."] He trusted he might be heard. Any one of those Gentlemen who cried "no, no" so loudly might rise and do so in due form and at the proper time, and show that their "no, no" was accurate, but meanwhile he begged they would do him the favour to hear him, and perhaps he might succeed in offering some reason in confirmation of what he alleged. He repeated then, that Mr. Warburton was there, because charges had been made against him—because imputations had been cast upon him, and he felt desirous of being brought to the test of inquiry. He was certain that Mr. Warburton would not have appeared before them had it not been for that reason. Many observations had been made that were calculated to have a great effect, and had taken such effect, upon the House. Mr. Warburton had resigned his seat, as he said, to save his friends from exposure in regard to the conduct they had pursued on behalf of one of the hon. Gentlemen who had addressed the House. But it had been asked, if such were Mr. Warburton's motive, how was that consistent with his being here, and by his petition impeaching them and their conduct. Mr. Warburton said, "I will resign my seat; I will sacrifice my interests to save my friends;" but when the facts of the case are turned into a personal charge of corruption; when Gentlemen high in authority, acting, no doubt, most honourably upon their convictions, make charges, and hint insinuations against Mr. Warburton, then Mr. Warburton said—and he had a right to say—"I give up my friends, indeed I resign my seat; I sacrifice my interest; I waive all I had been striving to attain—all these I can give up and resign; but I will not give them up my character. When a gentleman came forward, thus praying for inquiry, and stating that his object in seeking it was because charges had been made against him which he sought to rebut; upon what authority was it that hon. Gentlemen took upon themselves, before the inquiry was granted, and perhaps entertaining the intention of opposing it, to assume that he was guilty? Was that fair—was it just? Mr. Warburton would not have presented that petition had he not found that his resignation had been construed into a fear of exposure. Then he said "I will bring that speedily to the test, for I will apply for a committee, so that if I again present myself as a member of that House, I may do so boldly, taking my stand upon the report of that committee." Was it at all inconsistent that a man should sacrifice his own interests to save those from whom he had received kindness and support, but that when the matter was made one of personal reproach and disgrace he should say "I can no longer submit. There are men so unjust and precipitate, so ready to condemn from party and personal motives, that I must bring these matters to a test. Do not let my character be taken away upon cheers and by hints and allegations, but inquire and judge upon the evidence." Yet when Mr. Warburton challenged inquiry, presenting himself in opposition to the two hon. Gentlemen, saying he was ready to meet them, and show that his own conduct was just and honourable in every respect, it appeared that judgment was already passed against him, though he was not there to speak in his own behalf. The petition prayed for inquiry into compromises that had taken place, one being that under which one hon. Member on the other side had been returned, and the second being the withdrawal of the cross petition. The withdrawment of that petition took place in February last. Now, Mr. Warburton's object was, to have these things inquired into. He could not come into the House to ask that an enquiry be entered upon for the purpose of clearing his character. The House would not grant an inquiry on such a ground. But Mr. Warburton was perfectly justified, and his motive was a highly proper one, in asking for inquiry on such a ground as the House could recognise. The petition, without making distinct charges, stated facts which resolved themselves into charges. Mr. Warburton charged one hon. Gentleman with having obtained his seat upon a pledge, and that after having given that pledge, he did not redeem it, but afterwards withdrew his petition, being actuated by private and personal motives of his own. The hon. Member himself had admitted having given the pledge, but said that it was done away with by a second arrangement. What was that arrangement? Mr. Warburton's account of it was that this arrangement having been made, the hon. Member went down to Bridport, Mr. Warburton engaging to offer no opposition. When the hon. Gentleman went down, however, an opposition was started by a gentleman named Hansell. Mr. Warburton wrote that letter, the reading of which had caused so much merriment in the House, and whatever some gentlemen might think, he thought that was a *bonâ fide* letter, written in fulfilment of the engagement entered into by Mr. Warburton, to prevent opposition, and calculated to effect that object. Yet the motive of Mr. Warburton had been alleged to be to prevent an exposure which, if it were made, the hon. Member now sitting had said, in a letter, nothing could prevent the borough being disfranchised. Upon that Mr. Warburton resigned his seat. Mr. Warburton had done everything calculated to effect the purpose of the arrangement, that there should be no opposition. That letter was written, and immediately afterwards a letter was sent by the agent of the hon. Member (Mr. Cochrane) to Mr. Warburton's agent, expressing the writer's sense of Mr. Warburton's honourable and straightforward conduct. The hon. Member requested Mr. Warburton's agent, Mr. Warburton himself not being present, and being wholly ignorant of the fact, to introduce him to Mr. Hansell's committee; and with that committee, without the knowledge of Mr. Warburton, the hon. Member entered into an arrangement, which, as he said, was that second arrangement which superseded his former one with Mr. Warburton himself. But of the latter arrangement Mr. Warburton had never heard a word. If the hon. Member and Mr. Warburton were at issue on this point, there were written documents to show which was the correct statement. Mr. Warburton now said that the hon. Member made that arrangement without his (Mr. Warburton's) presence or knowledge, and it was made with persons with whom Mr. Warburton had no connection. Did the last arrangement supersede the first? The letter he was about to refer to was written after the latter arrangement, yet recognizing the first. The letter was as follows:—

"I need not assure you that, except to carry out the arrangement for the benefit of Mr. Warburton, and your friends as well as his, and in strict conformity with the honourable understanding between us, Mr. Cochrane and I have no wish to take any steps whatever: and that, therefore, we feel ourselves entirely in your and Mr. Warburton's hands, to act as you may direct, as to the actions and petition for Mr. Warburton's benefit. You will see Mr. Warburton's very correct and honourable feelings towards us in this matter, and all I beg of you, for his sake, is, not hastily to decide on steps as to Hutchinson's actions, &c., which may have the effect at last to leave Mr. Warburton the only sufferer."

That was written on the 27th of September, and the arrangement with the hon. Member was made several days before. An extraordinary use had been made of that, for a passage had been read which wholly altered the meaning, a part only having been quoted, which made it appear as if Mr. Warburton had stimulated the actions against Mr. Hutchinson, which was not the case. A criminal information had been moved for against the hon. Member for bribery, and which was now pending, unless disposed of by compromise; besides which there were two indictments and six actions. There was an action against the hon. Member for 25,500*l.* brought by the person who had acted as agent. There were actions against four other persons. What had become of those actions? It had been said by the agent of the hon. Member (Mr. Cochrane), that evidence was so abundant to convict the other hon. Member, that the only difficulty was how to select it; and that the case would be perfectly sustained without compromising Mr. Warburton's friends; yet afterwards the agent to the hon. Member wrote to Mr. Warburton's agent, pressing for evidence, and on the 2nd. of February application was made for that evidence, and stating unless it was furnished the petition would be withdrawn. Upon the 19th a letter was received from the hon. Gentleman opposite, dated, not from London, as it had been said, but from the Carlton Club. It was natural enough that the hon. Gentleman, on withdrawing his petition, should consult with his friends at the Carlton. ["Oh, oh"]. He was sorry that anything he had said should create such agony among hon. Gentlemen opposite. He was stating that a letter was written requiring the evidence to be furnished by a given day, namely, by the 21st of February. It was furnished by that day; but the petition, notwithstanding, was withdrawn, and the letter written which the hon.

Member had read. Then, how stood the charge that Mr. Warburton had made? Mr. Warburton's charge was this:—

"You gave me an honourable pledge to prosecute the petition—you have withdrawn that petition—you sought an opportunity of withdrawing it by calling upon me to furnish evidence by a given day. I furnished that evidence a day previous to that upon which you require it, yet, in spite of that circumstance, you withdraw your petition. At the moment, too, at which you withdraw your petition, you were under prosecution by a criminal information, and your friends were under indictments for bribery upon several actions."

Mr. Warburton then said,—

"I think you withdrew your petition, abandoned your pledge, and kept your seat in breach of your word solemnly given to me."

So stood Mr. Warburton's pledge against the hon. Gentleman opposite (Mr. J. Cochrane). What was Mr. Warburton's charge against the hon. Member upon that (the Opposition) side of the House (Mr. Mitchell)? It was this:

"You came into the borough of Bridport—you were supported by my friends in that borough—they supported you under an engagement that my seat was at all events to be secured—you were attended by friends of your own who practised corruption to such an extent as to involve my agents—involved them to such a degree, as that, although I defy you to prove any corruption against me personally, it yet became impossible for me to defend my seat."

Mr. Warburton had never admitted—nay, he had everywhere distinctly denied that his return, or at least his election, was procured, either directly or indirectly, by bribery or corruption, practised by any person having his authority. There was no pretence for saying that Mr. Warburton was cognizant of the bribery that was going on, or that he was himself in any way mixed up with it. Mr. Warburton now came before the House, and challenged the proof of it. Mr. Warburton said to the hon. Member,—

"You were supported by my friends, under an engagement that my seat was to be secured."

The hon. Member admitted that fact. So much of Mr. Warburton's charge was substantially admitted. What happened? Mr. Warburton found that in consequence of the conduct of his agents he was implicated in the corruption that had been practised—not only that he was implicated himself, but that his friends would be severely exposed if he attempted to defend his seat. Mr. Warburton did not affect to say that the hon. Member (Mr. Mitchell) had not so used his (Mr. Warburton's) friends as to implicate him in the corruption that was practised. Mr. Warburton said—

"I believe I could not defend my seat, not because of any personal bribery on my own part, but because of the bribery practised by my agents, induced by the hon. Member (Mr. Mitchell)—therefore I will not embark in the contest before an election committee. You have been committing bribery to such an extent, that I will not join with you in defending the petition. I will not go before the House, of which I was formerly a Member, in order to stand the test of whether bribery has been committed or not, when I know that you have been guilty of it, and principally through agents of my own; therefore, unless you resign your seat, I shall resign mine."

Was Mr. Warburton wrong in resigning under such circumstances? If the bribery could be proved against Mr. Warburton's agents, why should he join with the hon. Member (Mr. Mitchell), of whom he had so much reason to complain, and make common cause with him in defending the petition? Mr. Warburton said he would not do so. The hon. Member, notwithstanding the engagement entered into prior to the election, had not resigned, he still retained his seat. What was his reason for doing so? The hon. Member said:—

"I thought I could maintain my seat, and I have maintained it."

The question that then naturally suggested itself was this—"How have you maintained your seat?" By a compromise with the hon. Member opposite, who, for some cause or other was induced to withdraw his petition, notwithstanding the fact that he had such abundant evidence to support it, that his only difficulty was which part of the evidence to select. That being the case, had Mr. Warburton made out the statements set forth in his petitions as far as these points were concerned? Mr. Warburton presented himself to the House protesting that his return at the last election was rendered invalid by no personal bribery on his part, direct or indirect, and he prayed inquiry into the circumstances of the election. Mr. Warburton stated in his petition that in the election of 1826 he had paid what was called "head-money." He was not going to defend that, or to say one word in extenuation of it. All he hoped was, that no Gentleman on the opposite side of the House had ever paid it. He did not turn his head to that side of the House lest he should be supposed to be looking at any particular Member. He believed, however, that admissions had been made in that House by Gentlemen highly honourable and respectable, that they had paid "head-money." Perhaps if he were to gaze about him it might be in his power to point out some particular Members from whom, if he were not much mistaken, he had heard that admission. He did not mean to say one word in extenuation of the practice: and whatever the censure that might justly fall upon Mr. Warburton for having paid it in 1826, there it must rest. He could not defend it or extenuate it. It seemed to him, however, that an impression had been made upon the House (by no means an accurate one) by what had been read by the hon. Member, which he, as the Friend of Mr. Warburton, should regret should remain. He would, therefore, briefly allude to it, with the view of removing it. It might be supposed, from what had been read, that Mr. Warburton had made a speech in that House utterly inconsistent with certain facts. He had never heard of that speech: but it was said to have been made in 1831. Mr. Warburton, in his petition, stated that in 1826 he paid "head money." He then went on to say,

> "In 1830 your petitioner was re-elected under the expectation that, at the usual time he would comply with the ancient usage; but that shortly afterwards, on the introduction into Parliament of a bill for reforming your honourable House, the principal political supporters of your petitioner in the borough assembled and determined that the custom and practice of paying 'head money' should be abolished, and required your petitioner, on pain of losing their support, to abstain from paying the 'head money' for the previous and any future election; and that your petitioner obeyed their direction, but devoted a much larger sum than the 'head money' for his then last election would have amounted to, in the erection of a public building for the advantage of the town; and your petitioner begs to add that, to the credit of the poorer electors at that period, not more than two individuals complained that your petitioner had disappointed them; and that from and after the period referred to, the practice in the borough of paying 'head money' entirely ceased."

Now, he apprehended, that nothing could be more correct than the conduct of those voters of Bridport. At a subsequent period, in 1831, a certain number of persons in that borough presented a petition to the House of Commons praying for Parliamentary reform; and then it was that Mr. Warburton was said to have made the speech that had been referred to, which was to this effect—that none of the parties whose names were attached to the petition had, in Mr. Warburton's belief, ever engaged in bribery or corruption. Was he right in assuming that that was the effect of Mr. Warburton's speech. If he were right in that assumption, then, he asked, was there anything inconsistent in such an assertion from Mr. Warburton, when, in the previous year 1830, a number of the electors of Bridport met and threatened him to withdraw their support from him unless he discontinued the practice of paying "head money." Mr. Warburton said from that time he had never paid "head money," or made any other payment that could be deemed bribery; and when his consistency was called in question for asserting in 1831 that bribery was not practised in Bridport, and for praying in 1842 that an inquiry might be made into the corrupt practices prevailing in that borough, he defended Mr. Warburton's constituency by stating that Mr. Warburton was willing to sacrifice his seat, and to continue dispossessed of it as long as he could do so without being subject to the charge of personal corruption, but that when insinuations were thrown out against him, implying, in the strongest manner, that he himself had been guilty of bribery, it then became imperative upon him, in vindication of his own character, to pray the House to enter into an inquiry. If there were any warrant for the charges that had been made against him, how unwise would it be in Mr. Warburton to press for such an inquiry. And if the hon. Gentlemen who now sat for the borough were pure and unimpeachable, how unwise would it be in them to resist the inquiry. But it happened, that he who was accused, was anxious for inquiry, whilst those who retained the seats and were cheered by the House, were afraid of inquiry. He now came to offer one or two observations with respect to the question with which the House had more immediately to deal, namely, the reference of the petition. Upon what ground could it be met—the House having nothing to do with the motives and feelings which prompted parties to make applications to it—upon what ground, when the House found that certain criminal proceedings had been instituted in the courts of justice against both the hon. Members who now sat for the borough—when the House found it admitted that one hon. Member had obtained his seat upon an agreement to present a petition, and that the other had obtained his seat upon an engagement not to present and to prosecute a petition in a certain manner—when the House became aware of these circumstances, upon what ground could it refuse to enter upon an inquiry. They had not mere surmise nor report—they had the best evidence, Mr. Warburton's conviction that bribery had been committed, who, though he denied his personal corruption, yet, by the fact of his resignation, admitted that corruption had taken place. Nay, more, they had both the sitting Members admitting the fact, and attempting to throw obloquy on Mr. Warburton, by saying that he called on the House to disfranchise the borough. Even if that was a just charge against Mr. Warburton, still it was not less a reason why the House should interfere. When the bribery was admitted by both the Members, would the House refuse an inquiry? He was aware of only one objection to such a course. It might be said that the bribery was so extensive and general, that it could not be remedied by a particular measure against a particular borough, and that a partial prosecution was impracticable. But the bribery in the present case was admitted, and as they had granted an inquiry into other five cases of allegation of bribery, he thought they could not, consistently refuse inquiry in the present case. It had been said, that Mr. Warburton had broken confidence? He had broken no confidence. There was not the shadow of a pretence for saying so. The agent of the hon. Gentleman behind him (Mr. Mitchell), on being refused payment of his bill, went to the agent of the hon. Gentleman opposite (Mr. Cochrane), and delivered up all the papers. Had that hon. Gentleman not received them? He had a letter in his possession, in which that agent attempted to justify this betrayal of confidence. But nothing could justify such a betrayal of trust, and he regretted that the hon. Gentleman had obtained his seat by such impure means. In regard to the private treaty with Mr. Hansell, the correspondence connected with which had been produced by the hon. Gentleman opposite against Mr. Warburton—what did Mr. Warburton say as to that treaty? He said that he would have nothing to do with it; and yet, when Mr. Warburton was defending himself, he was told that he had been guilty of a breach of confidence. What did Mr. Warburton say when he came to that House, in consequence of being charged with personal corruption? He said that he could not deny that most corrupt practices prevailed, though he denied that he was mixed up with them; and he prayed the House for an inquiry to ascertain whether that corruption could be fairly chargeable against him or not. Although he considered the subject of bribery as one of deep interest, and as one requiring the immediate attention of the House, he avowed that, in the present case, he was probably more influenced by private friendship, than public duty. He thought he had done right in justifying Mr. Warburton in asking for an inquiry, and he did not see how the House could refuse it without acting inconsistently in reference to what they had done in several other cases.

Mr. *Mitchell* explained. He had admitted that bribery had taken place, but he denied that he had any share in it.

Sir *J. Walsh* said, as the hon. and learned Gentleman, the Member for Liskeard had alluded to him as the immediate cause of the discussion which had taken place on the present occasion, he wished to be permitted to state the very slight connection which he had with the subject. His observations, with reference to the motion of the hon. and learned Member for Bath, arose from this circumstance —The hon. and learned Gentleman's reason for bringing forward his charges against five individuals was, that they were matter of general notoriety, and he also particularly impressed upon the House that he was not actuated by any party motives; and the hon. and learned Member certainly did proceed most impartially. On the one side, he selected a right hon. Gentleman who held a high office in the preceding Government. On the other, he turned to two or three Gentlemen on that (the Ministerial) side of the House. The House, however, was divided, not into two, but into some three or four parties, and he did think it rather unfortunate that the hon. and learned Member did not include Bridport, particularly as the compromise which took place there had excited so much attention. It was for this reason, that he drew the attention of the hon. and learned Member to the subject. His reason for now addressing the House was the rather singular position in which he found himself. At the time he made the appeal to the hon. and learned Member, he was not aware that it was intended to enter into a general investigation on the subject of bribery in the boroughs to which the motion applied. He had subsequently objected in a very strong manner to the committee constituted on the demand of a single Member, who merely said he believed certain things had occurred. An investigation which might materially affect the rights and privileges of a large number of persons ought not to be entered into in this manner. It was certainly on his suggestion that this matter had been brought before the House, and that Mr. Warburton had petitioned to have the matter taken into consideration. The case had assumed a new aspect, in consequence of the introduction of certain words by the hon. and learned Gentleman; and if he assented to the present motion he should be acting in the most inconsistent manner, because he should be voting for an investigation with respect to Bridport when he objected to such an inquiry taking place in other boroughs. It was almost impossible for any hon. Member to take the course which he was now doing without subjecting himself to the charge of putting himself forward as the champion of corruption, and as desirous of shielding corruption. He wished to deny, distinctly and emphatically, the truth of any such imputation. His objection to the inquiries of the committee being extended in this manner was, that it must necessarily be a partial committee, and that such an inquiry would create a most dangerous precedent. The inquiry was at present in the hands of a Member of the minority, who had procured the appointment of the committee on his making certain allegations, and expressing his belief therein. On some future occasion a Member of the majority or an unscrupulous Minister, might make the same allegations, and place different boroughs on their trial, thus exercising a power of intimidation which would control the freedom of the Members of the House, and also the freedom of election; and backed by an unscrupulous majority, a Minister so disposed might materially infringe upon the freedom and independence of the House of Commons. For the reason which he had stated, he should certainly vote against the motion.

Mr. *Brotherton* moved the adjournment of the debate.

Mr. *Hume* thought, they ought to settle the question to-night. They had had discussion enough, and after the disclosures made, no one could doubt of the necessity for inquiry.

Mr. *B. Escott* said, he had a strong objection to voting for the inquiry, because he had heard the hon. and learned Member for Liskeard ask what distinction there was between the present inquiry, and that moved for by the hon. and learned Member for Bath. The distinction between the two inquiries was this—that asked for by the hon. and learned Member for Bath was asked for by an honorable man against whom no imputation of bribery rests. What was asked for to-night was not required by a Member, but by one who had been a Member, and who had admitted himself to have been guilty of a crime. He maintained, that it was beneath the dignity of that House to grant any inquiry to one who could not demand it with clean hands.

Sir *R. Peel* said, that upon reading the petition, and upon hearing the statements made to-night, he had come to the conclusion, that there was ground for making inquiry into the various allegations, at least, as far as compromise was concerned. It seemed to him, that the reasons which had influenced the House in the other cases, ought to have the same weight in this. He did not think, that the point taken by his hon. Friend (Mr. Escott), viz., that the party charging compromise admitted his own participation, was a sufficient Parliamentary ground for non-interference. Neither could he entirely agree with the hon. Baronet (Sir J. Walsh) that this petition ought to be exempted from the inquiry of the committee, because certain words regarding bribery had been subsequently introduced. If bribery were to be exempted in this case, so it ought in the others, and although the alteration might have been made without due notice, he did not see how it was possible to avoid investigating the fact of bribery, when it appeared, that the compromise had been occasioned by the desire to conceal it. He was, however, very much afraid, that the committee recently appointed had undertaken a task which it was almost impossible for it to perform. Only five cases, it was true, had been referred to it, but if the investigation proceeded on the broad ground of ascertaining whether bribery had been committed, without reference to compromise, he did not see how it could be concluded in the course of the present Session. Of one thing, he felt persuaded, that the less these proceedings possessed of a criminatory character towards individuals, the better. The House ought not to contemplate individual punishment; he did not mean individual punishment, so much as individual degradation; that ought not to be the object in view; because it was out of the question to deny, that for the last twenty or thirty years, compromises of this sort, had constantly been entered into. It would be absurd to dispute the fact; and to select five or six cases, and to hold the parties up to exposure or vengeance, would be manifestly unjust. Every man who had sat in Parliament for thirty years must know, that it was never thonght to imply a charge against a Member, that in maintaining a personal right, he had done so at the smallest cost, and with the least trouble. The House ought to consider what was the most effectual mode of instituting a searching inquiry into bribery in the following cases. Either where corruption existed in a borough, and individuals were not inclined to petition for the purpose of exposing it; or in cases of compromises made before election committees, in order to prevent exposure. The noble Lord opposite (Lord J. Russell) had undertaken to bring in a bill upon that subject, and he was of opinion, that the preliminary committee ought rather to consider the best mode of facilitating the future administration of justice, than of spending a long period in inquiries into particular cases of delinquency. Such a course was more fitting the character of the House, and more likely to accomplish a general public benefit. After the impunity which had attended such arrangements, for so many years, such was the great object at which the House ought to aim, and he thought, that the noble Lord would act wisely in not hastily bringing forward his measure, in the course of which, he, in perfect good faith, had offered his co-operation, as far as was consistent with those principles of justice which governed the proceedings of the ordinary tribunals of the country. The case of Bridport would certainly be an addition to the labours of the committee now sitting, and, perhaps, it would be better o decide to-night upon the second branch of the proposition of the hon. Member for Liskeard. The great advantage of the bill contemplated by the noble Lord would probably be, that it would be passed in such a form as to enable the House to inquire into alleged compromises of this kind—not merely prospectively, but retrospectively. Looking at the particular terms of the motion before the House, he must repeat, that looking at the general principle, it seemed to him, that it fell within the rule which had already been laid down. He reserved his opinion on the question which was to be brought forward by the hon. Baronet, as to the actual powers of the committee, and whether the terms of appointment conformed with the original intention of the House, but he must observe that it seemed expedient that the committee should possess the right of inquiring into bribery, when it might be supposed, that the bribery determined the nature of the compromise. If, indeed, it were to be a committee to ascertain whether bribery had been committed at the last election, he was certain, that the first case would occupy more time than the remainder of the Session. What he now recommended was, that the sense of the House should be taken upon the preliminary motion, and that the question—what practice should be pursued, should be left for future consideration. Such was the best judgment he could form at present, not having yet heard the full extent of the case, but only what had been stated in the course of the present debate.

Lord *J. Russell* differed from the right hon. Baronet, and probably from a large majority of those who heard him; he thought, that there was less reason for referring this petition to the committee now sitting than had existed in any of the former cases. When he stated, that there was less reason, he meant as regarded the points to be inquired into. The point most affecting the character of the House was that mentioned by the right hon. Baronet,—viz., whether the compromise that had been effected, had been occasioned by a desire to avoid the exposure of bribery. The establishment of this fact would necessarily lead to further legislation on the subject. When he said, that there was less ground in this case than in some others, it was because the statements in Mr. Warburton's petition, and the speeches of the two hon. Members, contained all the facts relating to the compromise that could in any other shape be laid before the House. He did not wish to enter, nor could the committee conveniently enter into the precise engagement, or into the implied understanding and various disputes and quarrels between the three gentlemen. He must say, that they were unfortunate, and had led to a not very creditable exposure of transactions. The investigation of this matter might lead to a general inquiry into the bribery and corruption prevailing in Bridport, and that might end in the disfranchisement of the borough. If that were the object, the motion ought to have been different to that which had been submitted by his hon. and learned Friend (Mr. C. Buller.) It ought not to be a proposal for a committee to inquire into the various allegations, but for an examination at the Bar, or before a committee specially appointed to confine its labours to the case of Bridport. It was obvious, that if they added the case of Bridport to the five or six other places, and endeavoured to show the extent of bribery which was supposed to have taken place, not only would it require the whole of the present Session, but also the next, before they arrived at an adequate and satisfactory result. He thought, that there was less reason for inquiry in this case than in any others, as the compromise had been admitted, not only in the petition, but by Members in that House; but it might be as well to have the facts more regularly recorded, by going before a select committee, than by rejecting the motion of the hon. and learned Gentleman. On that narrow ground, therefore, he was not disposed to disagree with the present motion. Let him say generally in reference to the motion of the hon. and learned Member for Bath, that words had been added to that motion after he had left the House, understanding that the motion was assented to, which he, for one, did not expect to have been added, and therefore in consenting, not perhaps willingly, to let those words remain, in the appointment of the committee, he must say, in what sense he conceived the committee should inquire into the bribery. He conceived, the committee should inquire first, whether any compromise had been entered into; and in the next place, whether it did require any further inquiry, whether such compromises did not lead to the surrender of the seat independent of any bribery. If the surrender of his seat might have been caused by other circumstances, if a Member found that he was in an impaired state of health, or that the duties of the House were incompatible with his private business, he might resign his seat. Thus the committee, in all cases, would not be able to ascertain the reason why one Member had surrendered his seat, unless they went so far as to inquire into the general allegations of bribery. Further than this, it was utterly impossible for this committee to do justice to the various cases in the various boroughs; they could not expect that the committee would carry the inquiry so far as to enable the House to determine whether it would either suspend the writ, or proceed to disfranchise the borough entirely. He thought, in the first place, that this was beyond their power in any limited time, and he conceived in the second place that this was not the mode in which a committee for such a purpose ought to be appointed. There were not now, but there ought to be, two modes by which such an inquiry should be carried on. They might either trust to an election committee, before which the facts would come out and appear in the report, or if there was any reason, as there was in the case of Grampound, and on which he recollected he obtained the assent of the House to his proposal, on which there should be a special inquiry, they might have a particular inquiry into the state of the borough itself, unconnected with the conduct of individuals, or any right to a seat in this House. The present committee to inquire into election compromises would not answer either of those purposes. He believed that this committee could only ascertain whether in the several cases to be brought before them the Members had effected compromises, and whether such transactions had taken place for the purpose of avoiding an investigation into bribery and corruption. If this were so, there would be reason why the House should provide a better measure for the treatment of bribery and corruption, and not to rest satisfied with the inquiry which took place in the existing committees, where the question was between individuals as to their rights. In this restrictive sense, he did not object to the appointment of a select committee, although he was certainly sorry that it had been thought necessary by Mr. Warburton, and that it was thought necessary for hon. Gentlemen who were Members of that House, to enter into the details of transactions which he sincerely wished could have been spared.

Sir *R. Peel* thought that he must have imperfectly stated his views to the House, for he generally concurred with the opinion of the noble Lord; he certainly had arrived at the same conclusions.

Sir *R. H. Inglis* differed from the noble Lord in the conclusions at which he had arrived. The constitution had vested in a specified tribunal the investigation and decision of all questions as to those affairs, so far as related to the rights of individuals. So far as public morals were concerned, the law had invested another tribunal with the power of punishing the individuals. In the present instance they had not tried either the first of these tribunals—they had not tried before a committee the election petition. They had tried the other. There were five actions pending, involving penalties of 25,000*l.* They were now attempting to transfer this jurisdiction from the properly constituted tribunal to another tribunal which they themselves declared to be already overworked. What reason had they to think that there was not one of the other twenty cases which had been withdrawn during the present Session, that did not require nquiry as much as Bridport? Did they mean to select here and there a particular instance to carry out some party view? Besides, the hon. and learned Member for Bath had not yet got the machinery on which the whole success of his experiment depended. The bill for indemnifying witnesses had only been read a second time, on the understanding that the discussion should take place on the next stage. Was there any hope that the bill would pass that House under a week, or that it would pass the other under two more? Did the hon. Member think that the bill would come perfect for the House to act upon before the end of June? He only asked the House not to deceive themselves and practically to deceive the country, that they would be able to take effectual means to prevent bribery for the future, and to punish it for the past, by referring this matter to a tribunal which was not yet in existence, and which must sit at a period when it was physically impossible they would conclude the inquiry.

Viscount *Palmerston* would venture to submit to the House one or two observations in reference to what fell from the right hon. Baronet at the head of her Majesty's Government, when he reverted to that part of the labours of the committee which related to the election compromises. He might have taken an erroneous view of the matter, but he wished to submit, in reference to that object of the committee, whether the House had not run away with an exaggerated idea of the question to be submitted to the committee. Hon. Gentlemen seemed to think that all compromises of election petitions were culpable, and especially if they had for their object the withdrawal from the cognizance of the committee of the fact of bribery having been committed. He thought that this view was founded on a misconception of what was the existing law. The law for the trial of controverted elections treated the application for the seat as for the private right of a private individual; it did not let in the interests of the public, so far as those interests were concerned. He thought that this was a fault in the existing law, he thought it was a law which ought to be corrected; but, whilst it remained they could not complain of individuals taking advantage of the law, and carrying out its intention to obtain their own particular rights. The act for the trial of controverted elections stated, that the petitioner might withdraw his petition at any time he pleased, and therefore it invited the petitioner to compromise if it was for his interest to do so. But what said the act with regard to the sitting Member—the defending party? Why, the 85th section of the act stated, that if the committee should find that the defence of the sitting Member had been frivolous and vexatious, it might punish such Member for having made that defence, by imposing upon him the penalty of paying the costs of the petitioner. Therefore, the sitting Member was told to consider whether the defence he had to make was a *primâ facie* good one or a *primâ facie* bad one, in order that he might not be saddled with the expenses of his opponents, and incur a penalty for having brought the question to trial. He would take a case in which flagrant bribery had been committed. He would suppose that the sitting Member's legal adviser told him that his agents had been so indiscreet, and so blameable, as to have committed him in acts of bribery, which could be proved without the least difficulty, and that his seat could not be maintained. What was the condition, then, in which the sitting Member was placed—first, by the law, and next by the impression which seemed to prevail in that House? If he persevered in his defence, and in opposing the petition, and put the petitioner to the proof by compelling him to adduce evidence, in order to establish the fact of bribery and criminality of the borough, why the committee might turn round upon him and fine him for having so done, and sentence him to pay the costs of his opponent; and, on the other hand, if consulting his own interest he should retire from the contest, and make a compromise with that opponent, by which he should agree to give up his his seat without putting the petitioner to any further expense, then, according to the present disposition of the House, he was to have a committee of inquiry appointed to investigate the transaction; and he was to be held up to the public as a person having committed an odious offence in retiring from the contest, and not bringing the question before the election committee. Now, he would seriously submit it to the just and generous consideration of the House, whether they thought a Member ought to be exposed to this alternative, and whether, in fact, hon. Members were not running a little too fast. Were they not going too rapidly in attaching to these compromises that degree of criminality which there appeared to be a general disposition to attach to it? For his part, he was desirous that the law should be altered. He thought that the public ought to be introduced, as a third party—the party indeed, that was principally interested in these cases, because he entirely differed from the principle on which the present law stood, as regarded this question. The law now looked upon these things as matters between the individuals who sought to obtain their seats on the one side, and those who wished to maintain them on the other. In fact, it treated a seat in Parliament as private property. But it was no such thing. It was not the property of either party, but it was a great trust held for the benefit of the public; and these trials as to what individual should hold the seat, ought to be tried mainly with a view to the public interests, and for the purpose of establishing purity of election, and not for deciding whether one particular party or the other should enjoy the seat. It was not a private right, but a public trust imposed for the benefit of the people at large. He felt, therefore, that the main object to which the House should direct their attention, should be the system, and not to individuals—that they should aim at making such a change of the law as would prevent those compromises in future, and enable the House to punish bribery wherever it existed. For these purposes, he would cheerfully and cordially give his vote, but for all the reasons he had given, and from all that had passed, he did not think, that the committee which had been agreed to could arrive at any conclusion that would materially assist them in the correction of that which he thought it ought to be the duty of the House to remedy. He fancied that no man would be disposed to doubt the great extent to which bribery had prevailed; on the contrary, they all knew that the system had been unfortunately more extensive than what could be confined to the cases which had been specifically mentioned. Was it then expedient to pursue an inquiry to the full extent to which bribery had prevailed? He did not think it was, and he would tell the House why. If they inquire at all, they ought to inquire to the full extent of the system that had been pursued. If the practice had been so extensive, as he was afraid it had, he thought that the public feeling, and the public morality would be best consulted by the House going at once to enact some law to prevent the recurrence of the system in future. If it could be proved to the country that the criminal practice had been most extensively pursued, it would rather tend to diminish the feeling of the public against any particular instances, because whenever an offence was participated in by large numbers, the sense and feeling of abhorrence became mitigated; and in the case of bribery, he thought that, in proportion as they showed the practice to have been extensive, would be the diminution of feeling against the individual offenders. He, therefore, should say, that the most useful object to which the labours of the committee could be directed, would be to consider in what mode this practice could in future be most effectually prevented. That would be a more useful occupation of the committee than for them to inquire into a few out of the many cases of bribery, and holding up a small number of individuals to that odium which they should only share in conjunction with others. And, moreover, after the House had determined that in the case of Ipswich, where, undoubtedly, grounds for inquiry were at least quite as great as those in other cases, no inquiry should take place, he could hardly understand upon what principle the House could direct an inquiry in other and less established cases.

Lord *Stanley* said, that in a great part of the observations of the noble Lord he entirely concurred. He entirely concurred in those observations with which the noble Lord had commenced his speech—namely, that the House appeared to take up with an extraordinary degree of energy the investigation of that subject matter of compromise, which every man who had sat as long in Parliament as he had done must know was a matter of notoriety at every election for every consecutive Parliament; and he concurred with the noble Lord in thinking that the subject matter of these compromises followed as a matter of course from what was understood to be a most parliamentary usage. The noble Lord had stated that the investigation of bribery before an election committee was not a matter of trial of a public but of a private right. It was a question tried between two parties, and at the expense of those two parties—the one seeking to obtain the seat and the other to defend it, and each was always held to be at liberty to proceed just so far, and to stop at that particular point when he conceived that his own individual object was accomplished in obtaining or defending the seat, and to abstain from the defence of the petition when his object was accomplished, or when it appeared hopeless, or was from any other cause desirable not to press it further, but agreeing with the noble Lord in his statement of the object of an election committee as at present constituted, and thinking it desirable that the law should be so altered as to enable the public to have an interest in the discovery and investigation of bribery, which they had not at present. He certainly differed from the noble Lord in the view he took of the course which ought to be pursued in the case of the committee about to be appointed, and he also differed from his hon. Friend the Member for the University of Oxford, who said that there were but two courses which it was competent or desirable for that House to pursue. His hon. Friend said, there was an election committee to try the seat of the Member, and there was the criminal tribunal to which they might have recourse to investigate an individual act of bribery; that these were the only two courses open to the House. He said, if that were the case, there was a great gap which it was desirable for the House to fill up; there was a great interest which was not at present provided for. There were cases in which there was no object in coming before a criminal tribunal, and in which there was no object in incurring the expense of an investigation before a committee, and yet there might be flagrant cases of corruption and bribery in a borough; but the House must shut his eyes and wink hard, because there was no public prosecutor whose own rights were concerned, or who could enforce the penal consequences, to bring the matter to light. He differed from his hon. Friend on this point, and he thought there was little if any difference between the noble Lord and his right hon. Friend, in the object proposed and the course to be pursued on the occasion, because the noble Lord appeared to consider there was still a third point to be aimed at, namely, the investigation of cases of bribery and corruption in which no individual had an object in instituting a prosecution. Such cases, he thought, ought to be within the jurisdiction of the House, not so much for the purpose of exposure or punishment of the individuals, as for the sake of adopting such a course of legislation as should provide an effectual remedy against the evil in future. In that case, what better course could they take, what more parliamentary ground could they have for future legislation than the illustration by evidence, and exemplification of the system in all its variations and modifications, as illustrated by the cases which had forced themselves upon the attention of the House. He thought there were great objections to referring every case to the committee appointed by the hon. and learned Gentleman. He thought there was very great objection to keeping a parliamentary tribunal always ready to receive every accusation of this description that might be made—and he did not understand his right hon. Friend and the noble Lord, in assenting to the motion of the hon. Member, to pledge themselves to any distinct opinion, whether it were right that this case of Bridport should be referred to the committee appointed on the motion of the hon. and learned Member for Bath; but simply to pledge themselves to this, that on the petition of the late Member for Bridport, and the statements of the two sitting Members for that borough, it was not desirable this House should shrink from entering into an inquiry as to the proceedings which had taken place at the last and previous election for Bridport, not for the purpose of affecting the seat, or of visiting either the hon. Members for the borough with any penal consequences, but for the purpose of laying before the House the case of Bridport as an exemplification of that which had taken place, and might take place again to-morrow, and year after year, with impunity, if the House of Commons did not show they were determined, by all the means in their power, to put a stop to it. Though he admitted that no case could be more full or complete than that which was now before the House, yet it should be remembered that a great part of the statement was not on record; that it was in their minds, ears, and would be in their recollection, as the statements of the two hon. Members for Bridport. But, admitting that the whole of that were on record, and that there would be very little in the case to add to the labours of the committee appointed by the hon. and learned Member for Bath, he was not prepared to make a distinct declaration of his opinion, that it was a case which ought to go to the committee so appointed; while, on the other hand, with reference to the motion of which the noble Lord (Lord J. Russell) had given notice with regard to future proceedings for the purification of this House, no matter how extensive the practices of bribery might have been, that was no reason why the House should not attempt its future purification by an universal and general exposure of the practices, and by honest endeavour to defeat those practices by legislative measures. Without expressing an opinion whether this case should be referred to the committee of the hon. and learned Member for Bath, still it was a case to which the House should not shut their eyes and say, "We will bear all these things which have been stated by petition, and by the Members, to our own House, and yet we will not take any steps for placing this state of things as a record, for the purpose of serving as a groundwork for future legislation, and for the exposure of such practices as are alleged to take place, as a beacon and warning to other boroughs at future elections." With this caution, then, desiring to guard himself, in acquiescing in the motion of the hon. and learned Member for Liskeard, as he thought his right hon. Friend (Sir R. Peel) would guard himself also, in assenting to a motion couched in precisely the same words as the motion of the hon. and learned Member for Bath—wishing to guard himself against the implication which might appear to follow that, as a matter of course, he was prepared to refer this and any subsequent case which might hereafter be presented to the committee appointed on the motion of the hon. and learned Member for Bath, he was prepared to affirm that this was a case which ought not to be passed unnoticed by the House, and that, for the purposes of future legislation, an inquiry ought to take place in the case of Bridport. Thinking, then, that it was a case which should be inquired into, and guarding himself against any construction which might be put on his assenting to words precisely similar to those in which the hon. Member for Bath had framed his motion; and looking to it as a motion assenting to the necessity of an inquiry into the circumstances of the case, he, for one, was prepared to give his cordial assent to the first motion of the hon. and learned Member for Liskeard.

Mr. *G. Bankes:* Let them see to what an extent they were opening the doors of this House, if they attempted an inquiry of this nature. It was not because Mr. Warburton was at a former period a Member of this House that they should give more attention to his petition than to a petition of any private individual. If they gave a preference to Mr. Warburton on this occasion, how would they be able, in future, when any disappointed candidate, however low in character, mean in station, unknown or ignoble, or however little patronised by a political party, chose to send his petition, alleging that those who were the Members ought not to retain their seats, and dishonourably endeavouring to calumniate them, by making charges of bribery against them—how would they feel entitled to reject a similar motion? He wished to impress upon the House that it could not, with any sense of justice, admit this petition, though it was that of a Gentleman who had long been known to them as a Member of this House, and who was entitled to their respect and consideration; and the reasons he had stated he thought were a sufficient ground for saying "No" to the present motion. The noble Viscount (Viscount Palmerston), and the noble Lord the Secretary for the Colonies (Lord Stanley) had stated that, according to the existing law, the question before an election committee was merely a private question between party and party. He begged leave to say that he did not agree with them in that view of the matter; for the acceptance of the office of a Member of Parliament was, in the eye of the law, a public duty which could not be legally refused. Therefore the public were concerned in the decision of a tribunal appointed to judge such questions; and it was upon that ground, as he understood, that the committee was appointed on the motion of the hon. and learned Member for Bath. The present was a case of a wholly different nature from those to be referred to that committee, and therefore he should oppose the motion.

Mr. *C. Buller* said, it was unpleasant to him that the question had assumed the appearance of one of a personal character. He must, as a matter of duty, return his warmest thanks to the Members of the Government who had spoken on this occasion, and particularly the right hon. Baronet (Sir R. Peel) and the noble Lord (Lord Stanley), for the very cordial and effective assistance they had given in promoting the adoption of remedial measures against bribery. The conduct of the right hon. Baronet and the noble Lord was deserving the highest praise. He begged to assure the House that it was not the object of any hon. Member on the Opposition side of the House in promoting those inquiries to gratify vindictive feelings; they thought that the best way of laying a groundwork for future legislation on the subject of bribery was to place before the public some samples of what had been going on at elections and before election committees. Though he agreed entirely with the noble Lord in what he had said with respect to that which was of paramount importance to the House, that remedial measures should be adopted to prevent compromises and to put an end to bribery; and though he said it was a most important thing to carry out such bills as those proposed by the noble Lord, yet he was sure that the inquiry proposed by the hon. and learned Member for Bath was precisely that which was likely to carry out the object which they all had in view. They knew that House was taken by fits; that cold fits followed hot fits, and that then again the House could be very cold. Now, he was anxious to take advantage of the glow of good which he felt necessarily would follow the adoption of some of those remedial measures. But there might be a way in which the inquiry might be rendered unnecessary, if the noble Lord were to take the chance of carrying these bills with temperate and wise provisions, so that before the committee entered into the inquiry they might be told, "We have got these remedial measures." He meant to say, that when these bills should be passed, the strongest enemies of bribery would not care for this inquiry. But, at the same time, let them not give up the bird in the hand for two in the bush. Now, there were those who objected to refer these cases to inquiry. The noble Lord seemed to think that the matter not having been introduced in the first reference, it would afford a precedent for making such matters the subject of constant reference, and that whatever might occur in future, the House would become a standing committee to which these cases might be referred. He admitted the force of this argument, but the case of Bridport was one which, in order of time, ought to have been taken first. It was an oversight of the hon. and learned Member for Bath that he had not done so. The hon. and learned Gentleman, in conclusion, said he would move only the first part of his motion, leaving the second part as an adjourned debate.

Sir *R. Peel* thought the best course would be to postpone the decision on the question as to the reference to the committee to another day. But there was another point worthy of consideration—namely, that the hon. and learned Member for Bath had a bill under the consideration of the House, given an indemnity to witnesses in particular cases which were to go before this committee, and that committee would have additional facilities of hearing witnesses upon oath. If this petition were referred to another committee, the power of that committee would be much less extensive. He thought that the multiplication of these bills of indemnity would be a great evil, as affecting the privileges of the House.

The House divided on Mr. C. Buller's motion—Ayes 156; Noes 37: Majority 119.

List of the AYES.

Acland, Sir T. D.
Acton, Col.
Aglionby, H. A.
Aldam, W.
Archbold, R.
Bailey, J.,
Baldwin, B.
Baring, hon. W. B.
Baring, rt. hn. F. T.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. F.
Bernal, Capt.
Blackburne, J. I.
Bodkin, W. H.
Boldero, H. G.
Bowring, Dr.
Bramston, T. W.
Broadley, H.
Brocklehurst, J.
Brodie, W. B.
Brotherton, J.
Browne, hon. W.
Bunbury, T.
Busfeild, W.
Byng, G.
Chapman, B.
Childers, J. W.
Christie, W. D.
Clayton, R. R.
Clerk, Sir G.
Cockburn, rt. hn. Sir G.
Corry, rt. hn. H.
Dalrymple, Capt.
Dawnay, hn. W. H.
Dawson, hon. T. V.
Denison, E. B.
Douglas, Sir C. E.
Duncan, Visct.
Dundas, Admiral
Dundas, F.
East. J. B.
Easthope, Sir J.
Ellis, W.
Elphinstone, H.
Evans, W.
Fielden, J.
Flower, Sir J.
Forster, M.
Fremantle, Sir T.
Gill, T.
Gore, hon. R.
Goulburn, rt. hn. H.
Graham, rt. hn. Sir J.
Granger, T. C.
Greene, T.
Grey, rt. hn. Sir G.
Grogan, E.
Hall, Sir B.
Hamilton, J. H.
Hamilton, W. J.
Hamilton, Lord C.
Hardinge, rt. hn. Sir H.
Heathcoat, J.
Herbert, hon. S.
Heron, Sir R.
Hervey, Lord A.
Hill, Lord M.
Howard, hn. C. W. G.
Howard, hn. J. K.
Howard, hn. E. G. G.
Hume, J.
Hutt, W.
Jermyn, Earl
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Knatchbull, rt. hn. Sir E
Langston, J. H.
Lascelles, hon. W. S.
Lawson, A.
Lefroy, A.
Lincoln, Earl of
Lindsay, H. H.
Litton, E.
Lowther, J. H.
Mainwaring, T.
Mangles, R. D.
Marsland, H.
Martin, J.
Meynell, Capt.
Mitcalfe, H.
Morris, D.
Munday, E. M.
Muntz, G. F.
Napier, Sir C.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Sir D. J.
O'Brien, W. S.
O'Connell, D.
O'Connell, M.
O'Connell, M. J.
O'Connell, J.
Ogle, S. C. H.
Packe, C. W.
Paget, Lord A.
Pakington, J. S.
Palmerston, Visct.
Parker, J.
Peel, rt. hn. Sir R.
Philips, G. R.
Plumridge, Capt.
Plumptre, J. P.
Praed, W. T.
Pusey, P.
Rashleigh, W.
Redington, T. N.
Rice, E. R.
Rushbrooke, Col.
Russell, Lord J.
Scholefield, J.
Scott, hon. F.
Seale, Sir J. H.
Seymour, Lord
Seymour, Sir H. B.
Sheil, rt. hn. R. L.
Stanley, Lord
Stanley, E.
Stanley, hon. W. O.
Stansfield, W. R. C.
Staunton, Sir G. T.
Stuart, Lord J.
Strickland, Sir G.
Sutton, hon. H. M.
Tancred, H. W.
Thornely, T.
Towneley, J.
Trail, G.
Trollope, Sir J.
Tufnell, H.
Turner, E.
Vane, Lord H.
Verner, Col.
Vesey, hon. T.
Villiers, hon. C.
Waddington, H. S.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
Williams, W.
Wood, B.
Wood, C.
Wood, G. W.
Worsley, Lord
Yorke, H. R.
Young, J.

TELLERS.
Buller, C.
Wilde, Sir T.

List of the NOES.

Allix, J. P.
Bagge, W.
Baillie, Col.
Baillie, H. J.
Bankes, G.
Bradshaw, J.
Broadwood, H.
Burrell, Sir C. M.
Carnegie, hon. Capt.
Christmas, W.
Colville, C. R.
Cripps, W.
Darby, G.
Dodd, G.
Douglas, J. D. S.
Ferrand, W. B.
Filmer, Sir E.
Ffolliott, J.
Fuller, A. E.
Goring, C.
Henley, J. W.
Hodgson, R.
Knight, F. W.
Leicester, Earl of
Lockhart, W.
Mackenzie, W. F.
M'Geachy, F. A.
Manners, Lord J.
Milnes, R. M.
Neville, R.
O'Brien, A. S.
Pollington, Visct.
Richards, R.
Rous, hon. Capt.
Smythe, hon. G.
Stuart, H.
Trotter, J.
Walsh, Sir J. B.

TELLERS.
Escott, B.
Inglis, Sir R. H.

Mr. *C. Buller* then moved,

"That such inquiry be referred to the select committee appointed to inquire whether such compromises have been entered into, and whether such bribery has taken place in the towns of Harwich, Nottingham, Lewes, Penryn and Falmouth, and Reading."

Mr. *G. Bankes* protested against the House then going into the question, and called upon the hon. Member for Liskeard to name some other time at which he would bring it on.

Mr. *Ferrand* submitted to the House, whether it would not be an act of even-handed justice, wherever a petition, charging bribery and corruption, had been presented from any city, borough, or county, to refer that also to the same committee.

Mr. *Darby* said, he had been convinced by the speech of the noble Lord the Member for Tiverton (Viscount Palmerston), and he thought it rather hard that the noble Lord should use such convincing arguments and not support them by his vote.

Viscount *Palmerston* was very much flattered that the hon. Gentleman should have been convinced by any speech of his; it was not often that speeches wrought conviction in that House; but if the hon. Member had attended to his speech, he would have seen that he (Visount Palmerston) considered inquiry objectionable, but as long as the committee existed he should vote for referring every case to its consideration.

Debate adjourned.

The House adjourned.

HOUSE OF LORDS,

Monday, May 30, 1842.

MINUTES. BILLS. *Public.*—$2^{a.}$ Jurisdiction of Justices.
Reported.—Pentonville Prison; Fines and Recoveries (Wales and Cheshire); Roasted Malt.
$3^{a.}$ and passed:—Punishment of Death (Ireland).
Private.—$1^{a.}$ Indemnity Mutual Marine Assurance Company; The Duke of Bridgewater's Trustees Estate (Archbishop of York's); Rosuma's Pierre Lambert Flavian, and others Naturalization; Lesbazeilles, Jean Baptiste, and others Naturalization; Verconsin, Pierre Frederic Eugène Naturalization.
$2^{a.}$ Rudyerd's Estate.
Reported.—Northern Union (Newcastle and Darlington Junction) Railway; Charterhouse Estate; Bristol and Gloucester Railway; Slug Roads; Forth and Clyde Navigation (specially).
$3^{o.}$ and passed:—Greenock Harbours.

PETITIONS PRESENTED. By Viscount Lorton, and Lord Lord Blayney, from Lismore, and Killevan, for the Encouragement of Schools in connection with the Church Education Society (Ireland).—By the Earl of Rosebery, from Midmar, and Magilligan, for the Alteration of the Law respecting the Scottish Church.—From the Roman Catholics of Bristol, for a Retter Religious Instruction for the Catholics in the Army and Navy.

IRISH POOR-LAW COMMISSIONERS.] The Earl of *Glengall* had to submit a motion to which he did not anticipate that there would be any objection. It related to the salaries of the Poor-law Commissioners in Ireland. He understood that those commissioners had each a salary of 800*l.* per annum, besides which, there was an allowance of one guinea per day for table money, and an allowance of another guinea per day for travelling expenses making the receipts of each commissioner amount to from 1,500*l.* to 1,600*l.* a-year. This might be right or it might be wrong, but it would be well to know what the fact was. He would, therefore, now move—

"That there be laid before the House, an account of the salaries, allowances, and travelling expences of the Poor-law Commissioners in Ireland."

Motion agreed to.

STATE OF TIPPERARY.] The Earl of *Glengall* said, that he had now another motion to submit, to which also he did not think there would be any objection on the part of their Lordships. It was for a return of the number of rewards offered by order of the Government of Ireland, for the apprehension of offenders, and also the number of such rewards claimed and paid in the year 1841, and also a return of the number of outrages reported to the Government in the same year. He would now, in a very few words, call the attention of their Lordships to the disturbances which had taken place lately, in the North Riding of the county of Tipperary; but he would not have adverted to this subject, or submitted the present motion, did he not feel that some observation was called for, lest there should be some misconception or misconstruction of some words which had fallen from his noble Friend (Lord Wharncliffe) in a short conversation on the state of the county of Tipperary on Friday evening last. Any one who was thoroughly acquainted with the state of that county—he alluded more particularly to the North Riding—must agree with him that there was great danger from any misconception as to the acts of the magistrates, or resident gentry there. The magistrates themselves, were fully aware of the perilous situation in which they were placed, and how easy it would be to make that situation still more perilous, by any misconception gaining publicity as to their conduct. Some allusion had been made to the conduct of some of the petty landlords of the country as not being kind to their tenants. He did not mean to say, that some such might not be found, but it so happened, that none of the outrages to which he had referred had occurred in consequence of any act of such landlords. Indeed, even the most Radical newspapers had not ventured to charge any act of outrage to the conduct of any such parties. It was now notorious that murders had been committed in the open day, and outrages of all kinds had been perpetrated with impunity. Such, indeed, was the state of the county, and such was the extent to which intimidation was carried, that a respectable individual, who had made an agreement to let his house for a police-station, was compelled to break his engagement, and the police were obliged to encamp under canvass for a time. There was also the case of Mr. Hall, who had been assaulted, and who was a gentleman against whom no charge had ever been made, of any unjust or harsh conduct to his tenants. In the case of Gainor's farm, which belonged to a respectable individual, there was, as in that of Mr. Hall, not a shadow of a pretext for charging the owner with any harshness to those who might be said to be dependent on him. But it was useless for him to cite cases of this sort of outrage. He looked upon the whole of these outrages as the result of a general conspiracy against the authorities and laws of the land, and against all social order. No class, however estimable, was safe from becoming the victims of such outrages. Their Lordships, no doubt, recollected the melancholy case of the late lamented nobleman (the Earl of Norbury), who was shot almost at his own door. What had been his offence? He had extensive estates, and to that part of one on which he resided, he was anxious to add about 120 acres to his park. To complete this, it was necessary that the holders of some small tenements on the land should be removed. But that was done without anything like harshness, and all the parties who were removed, were paid; but that, it appeared, did not satisfy the disaffected, and the noble Earl soon after perished by a brutal assassination. There was the case of another large landed proprietor—a noble Lord, who, at the close of his office, as the representative of his Sovereign in Ireland, had purchased large property in the country, and who was one of the best landlords in Ireland, yet no man in the country was more annoyed and persecuted than he was. What let him ask, was the cause of those outrages? What was the cause of those systematic attacks on all law and social order? How was it, that such acts were allowed to escape with impunity? The cause would be found in the fact, that such was the state of society that witnesses could not be found to give evidence, or jurors to convict. If witnesses were found willing to give evidence as to the commission of any serious outrage, they, and their families, were obliged to be sent to the Canadas or to the Cape of Good Hope, to prevent their being murdered. Formerly, it was the practice to intimidate jurors, so as to induce them to stay from the assize courts, but now they were compelled to attend; and, as was stated by Mr. Carmichael in his report, instances were not unfrequent of one man holding out against his eleven brother jurors, until it was found impossible they could agree. They were discharged, and the trial was put off to the next assizes, but long before they came about, the witnesses were all removed, so as to be out of the reach of any process of the court. These things took place, let it be borne in mind, on trials for outrages of the most atrocious character, and in this way some well-known—some most notorious offenders, got off with impunity. It was perfectly well known in Ireland that the murderers of Mr. Bryan were now walking about without molestation, having obtained an acquittal by means such as those to which he had alluded. It was known that between December, 1836, and December, 1840, there had been 3,905 rewards offered by Government for the apprehension and conviction of offenders. Those rewards generally amounted to from 50*l*. to 100*l*. each; but out of these how many did their Lordships think were claimed and paid? Just 107 out of the 3,905. How different was the result of the administration of the law in England! He had taken the number of commitments and convictions in four large counties in England, and contrasted them with four counties in Ireland. He had taken Staffordshire, Surrey, Warwick, and York, and contrasted them with Cork, Limerick, Sligo, and Tipperary, and he found, that in the English counties two-thirds of those committed were convicted, —while in Ireland it was the reverse; for there two-thirds of those committed were acquitted—and, considering the way in which the people were excited by the priests, he should not be surprised if the acquittals were much greater. Considering the numbers whose whole occupation was that of exciting the people against the Government and the local authorities, it would not surprise him if the state of Ireland were to become much worse than at present. The whole country was inundated with those chapmen of sedition and dealers in revolution, for the purpose of unsettling the property of the country; and to what end? To sow dissensions between the landlords and tenants in Ireland. It was to this end that so many declarations and statements were sent forth from the Corn Exchange in Dublin; and, considering the zeal and perseverance with which these statements were circulated through the country, it could not excite surprise to find the whole country in a state of revolt; and so it would be but that, fortunately for the country, there was—in despite of all efforts to prevent it—a better feeling growing up between landlords and tenants. With respect to the priests, he was far from denying, that there were amongst them many very excellent and well disposed individuals, who did all in their power to dissuade the people from violent and outrageous courses. He was aware that there were in this county two highly respectable Roman Catholic clergymen, who openly denounced this system of outrage and endeavoured to dissuade the people from joining in it. It was high time that such a step was taken, for if it had not been so, the North Riding of Tipperary would before this have been in as great a state of insurrection as the country was in the year 1798. He sincerely thanked those rev. Gentlemen for their exertions. He hoped the example which they had set would be followed by others of their rev. brethren in Ireland; sincerely should he feel grateful to them for it. He was well aware that there were in Ireland as good Roman Catholic clergymen as there were Protestant clergymen in England or Ireland, and he gave to all such full credit for their intentions; but he must draw a broad line of distinction between such clergymen and those who might be called the youthful agitating Roman Catholic clergy of Ireland. To them and to the excitement they caused, was Ireland indebted for many of the evils which she now suffered. They were the most active agents at the hustings—they took the lead in the registrations—they were the active agitators for the election of men of their own party as Poor-law guardians. The youthful Catholic clergy were the most active agitators in the cause of repeal—the earnest collectors of the subscriptions for that object. It was notorious that, but for their exertions, the repeal fund would not have reached to one-tenth of its present amount. These were facts which could not be denied by any who were acquainted with the state of Ireland at the present moment. While he was on this subject let him advert to one circumstance. It was well known that sums of money had been forwarded from the sympathizers in the United States of America, but they were not sent for such purposes as those to which they had been applied, such as they were, by the keepers of the Repeal treasury. The money was sent in the hope that recourse would be had to arms by the Repealers, and that it would be used for the purchase of powder and ball and other munitions of war; and no doubt the "sympathizers" would feel much disappointed at finding that their money had been applied so very different from what they intended. No doubt, after learning its application, the remission of further sums for repeal "agitation" would be stopped. Let the young priests of Ireland, then, take warning and stop in time. Let them take the excellent example of many respectable members of the Catholic priesthood. Let them look to what had been gained by the Catholic church from revolution in every part of the world. Let them look at what took place in the united provinces of Holland. Let them look at what had been the consequences to their church by the revolution of England in 1688. Let them look at Spain, for the church of which so much sympathy had been expressed in Ireland. What had the Catholic church in Spain gained by revolution? If they considered these circumstances they would perceive how little they could gain by agitation for purposes which if they were gained could produce only revolution. The noble Lord concluded by moving for the returns already mentioned.

Lord *Wharncliffe* would be sorry were there to be any misconception or misconstruction of observations that fell from him, and still more should it risk any injury or danger to others. What he said on Friday last when this subject was a matter of conversation for a short time was, that when he was one of the select committee on Irish affairs a few years ago, he was much gratified at finding an improved feeling on the part of Irish landlords towards their tenants, and a desire to better their condition, but he added that he had known instances in which landlords had used the rights of property in a manner which was indefensible. These, he had added, were instances not confined exclusively to the Tory or Conservative party, but might have been observed in those who called themselves Liberals, and who were so—at least in their speeches. He, however, did not impute the state of Tipperary as matters of blame to any party. If outrages existed, much of them might, no doubt, be regarded as the effects of former disorders and misleadings, and much, perhaps the greater part of the recent outrages, might be traced to feelings of private revenge, arising out of family disputes: and such disorders could not be cured until the return of the people to a better state of feeling.

The Marquess of *Normanby* said, as the noble Earl had brought on this motion without notice it could not be expected that other noble Lords would be prepared to follow him in his statements. No doubt the noble Earl had a perfect right to take that course, and he would not have arisen to offer a word, but he did not wish to have it inferred that his silence might be taken as acquiescing in the observations of the noble Earl. Leaving the question of the proportion of committals and convictions, on which he did not wish to enter at present, he would say a word as to the Catholic priests, and in justice to that body he must express a hope that the noble Earl did not impute to them a desire to encourage crime. No doubt there were Catholic as well as Protestant clergymen who in Ireland, as well as in this country, interfered more actively in politics than was desirable, but their political agitation was not connected with agrarian outrages. That was always to be regretted, but then let him state what he knew as coming within his own observation—that while acting as Lord-lieutenant of Ireland he had received the most effective assistance from Catholic priests, and from that body generally. He understood that the noble Lord who now filled the office of Irish Secretary had recently availed himself of an opportunity of bearing similar testimony to the services of the Roman Catholic clergy.

Earl *Fortescue* said, that having heard only a part of what had fallen from the noble Earl, he could not follow him into all his remarks, but in what he had heard he could not concur. All who had attended to the subject would admit that of late years, say within the last three or four, there had been a diminution of crime in Ireland. During the time in which he held the office of Lord-lieutenant of Ireland homicides had diminished fifty per annum; and from what he had heard, he believed the diminution continued to the present time. With respect to the Catholic priests in Ireland, he would admit that there, as well as in this country, were men in holy orders who mixed themselves up very indiscreetly in political affairs, but when he said this, let him in justice add, that from no men or party in Ireland had he received such able assistance in the prevention and suppression of crime as he had from Roman Catholic priests.

The Marquess of *Clanricarde* could bear his testimony to the able assistance derived from the Catholic clergy of Ireland in the prevention and suppression of crime. As one means of the latter he would suggest a discreet enforcement of the Arms Act. This subject received, he thought, too little attention from the police. When they found a district quiet they kept no sharp look out for concealed arms. He thought that if a sharp look out were kept at the beginning of winter the police might be soon in the possession of every gun in the district.

The Earl of *Glengall:* The noble Marquess (the Marquess of Normanby) had said, that agitation was not necessarily connected with crime; but did the noble Marquess recollect the remark of one of his most distinguished predecessors in the Government of Ireland—he meant the Marquess Wellesley—than whom no higher authority could be quoted? That eminent statesman had said, with respect to Ireland, that he could not separate crime from agitation. In that remark he most fully concurred. He thought it impossible to separate crime from agitation. If they wanted an illustration of this stronger than another, let them look at the murders and outrages which had been committed with the view to prevent men from voting at the election for Tipperary. Men were taught first to combine to defeat the law—they were taught to combine in attacks on person and property — they were next taught to combine to prevent voting at elections, and, if nothing less could avail, to do so by murder. With these facts before him, to what other conclusion could he come than this, that agitation, intimidation, and crime, went hand in hand, and law and justice were defeated, because men were deterred from coming forward in serious cases! As to the diminution of crime, he did not deny that the returns showed some, but it did not appear that there was any increase of convictions as compared with commitments. He did not find in the returns which had been made any mention of the 3,905 rewards offered, and the comparatively small number of claimants of those rewards for apprehending and convicting felons. As to what the noble Marquess had said of his remarks on the conduct of the priests in Ireland, the noble Marquess should recollect what he had said—that a broad margin and wide distinction should be made between the respectable Catholic clergy of Ireland and those young agitating priests who made themselves so prominently busy on all public occasions in which they ought not to interfere. With respect to these he again would say, that he could not retract what he had said—that he could not separate crime from agitation, and that he charged with such agitation those young priests who were constantly inciting their flocks in chapels and chapel-yards on Sundays and festival days. This agitation he looked upon as the fruitful source of much mischief to Ireland.

Lord *Cloncurry* lamented as much as any one the amount of crime now prevalent in Ireland. It gave him much pain, and it reflected great disgrace upon the people where it occurred; but it was to be borne in mind that these crimes were the fruit of past errors in the government of the people. Noble Lords ought to bear in mind that there were 3,000 Catholic priests in Ireland, and he would undertake to say that there was not 10 per cent.—he would say not 5 per cent.—of the whole engaged in the work of agitation. There were many whose daily efforts were exerted to put down crime and agitation. It was true, there were many of the young aspirants in the Catholic priesthood who did take a part in agitation, which it would be better for them to abstain from doing; but it should be remembered that they depended upon the eleemosynary subscriptions from their flocks for their subsistence, and who were, in a manner, obliged to act in accordance with the feelings of their flocks. The only support they derived from Government was the small pittance granted to Maynooth College, and which many noble Lords were constantly presenting petitions to withhold from them. The Catholic priesthood of Ireland were, as a body, as well-conducted and as religiously and peaceably inclined as any body of men could be. But there were many of the magistracy of that country whose conduct could not bear comparison with the priests —men who, if not convicted of crime, were often guilty of the greatest improprieties. This fact was borne out by the necessity of the Government being dependent upon stipendiary magistrates. What was the cause of the fact which the noble Lord opposite had mentioned of the convictions in England being much greater in proportion to the committals, than in Ireland? It arose from the circumstance that the Irish magistrates often committed men without sufficient evidence to warrant their committal—["No, no."] He was quite convinced of this, and he was certain that if a different principle of acting towards the people of Ireland were adopted, they would be found as obedient to the laws as any people upon earth. In his own county (Limerick), which was adjoining the county of Tipperary, throughout the extent of his own property, no offender had been apprehended for several weeks.

The Marquess of *Downshire* heard the speech of the noble Lord with great pain. The noble Lord appeared anxious to stand up for the character of the Roman Catholic priesthood of Ireland, and for that he did not quarrel with him. He felt great respect for that body of men, but he must draw the same distinction that had been so forcibly drawn by his noble Friend on this side of the House between those rev. Gentlemen who attended to the spiritual duties imposed upon them, and those who mixed themselves up with political agitation. The noble Lord had, in order to strengthen his argument in favour of the Roman Catholic priesthood, cast some reflections upon the magistrates of Ireland, which he (the Marquess of Downshire) could not concur in. He believed there was no body of men in any country who more zealously devoted their time gratuitously to the best of their ability to advance the interests of the people, and administer the laws amongst them than the magistracy of Ireland. With respect to that county where unfortunately these murders and outrages had lately taken place, he believed it would be found upon inquiry that the magistracy there had devoted their time and exposed their lives in endeavouring to do justice towards all, and administering the laws to the best of their power.

Lord *Lorton* would make only one observation. The conduct of the Roman Catholic clergy had been much eulogized, but he believed they were to a man Repealers; if that did not constitute them agitators, he did not know what would.

The Marquess of *Clanricarde* was not aware of the fact, but if he were in favour of a repeal of the union he would not be ashamed to avow it. The Act of Union was only an act of Parliament, and he saw no more harm in asking for its repeal than in asking for the repeal of any other act of the Legislature.

The Marquess of *Normanby* was able to deny the statement of the noble Lord opposite, that all the Catholic clergy were Repealers, from his own experience.

Motion agreed to.

PENTONVILLE PRISON.] Lord *Wharncliffe* said, that on moving that this bill be committed, he would take the opportunity of requesting his noble Friend (Lord Colborne) not to press his motion for a copy of the report of Dr. Bailey relative to the General Penitentiary. He had read that report, and admitted that it was very ably drawn up. It contained many excellent suggestions, but there were reasons which made it desirable that the report should not be printed at present. Many of the evils of the existing system would be avoided by the plan to be adopted in the new model prison, and it was of importance that every facility should be given to have a fair and complete trial of the system of secondary punishment which this bill would establish in this country.

Lord *Colborne* said, that after the statement made by his noble Friend, he certainly could not press for the production of the report.

The Marquess of *Normanby* concurred with the noble Lord opposite that it was very desirable, at least for the present, that Dr. Bailey's report should not be made public. Dr. Bailey had devoted his attention to the subject with very great ability and success, and had furnished a very able report. He hoped that the measure would be considered merely as an experiment, and that it would have a fair trial.

Bill went through committee.

JURISDICTION OF JUTICES.] The *Lord Chancellor* moved the second reading of the Jurisdiction of Justices Bill. It was founded upon a report made by a commission appointed to inquire into the criminal jurisprudence of the country, and that bill had been prepared by the late Government. The object of it was to transfer the trial of many offences that were not of a capital description from the assizes to the court of quarter sessions. Those offences that were punishable with death or transportation for life, were still to be tried at the assizes; but other offences, except certain specified ones which were of a peculiar character, were to be tried by the magistrates at quarter sessions. There were, however, some offences, such as those that were likely to lead to local excitement—cases arising out of combinations amongst trades—out of the Municipal Reform Bill, and the Parliamentary Reform Bill—which it was thought advisable should be tried at the assizes, not so much with reference to the judges who presided, as to the juries. What he now proposed was, that the bill should be read a second time, and that if any noble Lord had any objection to make to any of the clauses it would be competent for him to do so in committee. He believed the bill had been framed with great care and attention, under the immediate inspection of the commissioners appointed by Lord John Russell.

Lord *Godolphin* was understood to say, that he did not consider the magistrates at quarter sessions ought to be placed on a par with the learned judges of the land, and that there were many cases proposed by this bill to be tried at quarter sessions which ought still to be tried at the assizes. He would confine all offences to the assizes for which parties on conviction were liable to be transported for fifteen years.

The *Lord Chancellor* said, he would take the subject into consideration between then and the period when the bill should go into committee.

Lord *Wharncliffe* thought, that if the quarter sessions were not competent to try offences liable to fifteen years' transportation, they were not competent to try persons for offences that were punishable with ten years' transportation. The objection of the noble Lord would apply quite as strongly to the one set of offences as the other. But there appeared to him to be a fallacy on this subject. If the noble Lord had had as much experience of the business done at quarter sessions as he had, the noble Lord would have known that greater skill, greater care and patience, was required on the part of juries to decide justly in minor offences, than larger offences. The most difficult cases were not felonies, but misdemeanors.

The *Lord Chancellor* was understood to say, that those misdemeanors to which his noble Friend referred as being difficult to investigate, would be found to be included in the number of offences proposed to be tried by the judges at the assizes. Were this not the case, his classification of offences would be wrong.

Lord *Campbell* hoped, that the jurisdiction of the quarter sessions would be improved by this measure. If, indeed, those courts were always presided over by such men as the noble Lord opposite (Lord Wharncliffe), then he would not hesitate to entrust cases of the greatest difficulty to them; but it did happen that many of the chairmen of quarter sessions were certainly by no means competent to administer the law. A bill was introduced three years ago, empowering any county which thought fit to appoint a professional chairman, with a salary to be be paid out of the county rates. That bill did not pass into a law, but he thought some such measure absolutely necessary to the due administration of the law in this country.

The *Lord Chancellor* wished to observe, that the bill now before the House became necessary in consequence of certain alterations which had been made within a few years in the criminal law of the country. With respect to the jurisdiction of the quarter sessions, he knew not what his noble and learned Friend's experience was, but certainly for many years of his life he attended the quarter sessions in five or six counties, and he must say that according to his recollection and experience justice was admirably administered in those counties, and that the chairmen possessed a very accurate knowledge of the criminal law, and administered it most impartially.

Lord *Campbell* did not mean to throw the slightest disparagement upon the county magistrates or chairmen, but certainly, he might make the observation, that a country squire, who occupied his time, and that very laudably, in agricultural pursuits, and the sports of the field, was not, however zealous he might be to do his duty, the most fit person to administer the criminal law of the country.

The Duke of *Richmond* thought a country squire was much more competent than those who devoted themselves to politics. The noble and learned Lord was, no doubt, a very good advocate for his own profession, but he hoped, that if professional chairmen were to be appointed, they would not be paid out of county rates, but out of the consolidated fund. He thought this bill a great improvement; and though he did not agree with his noble Friend (Lord Godolphin) as to the incompetency of the quarter sessions, still he concurred with him in opinion, that such offences as sheep-stealing and horse-stealing, should be tried before the judges of the land. A sentence pronounced by them would produce a greater moral effect than one passed by the magistrates at quarter sessions. He thought the assizes ought to be held oftener than twice a-year. Why should a man be only kept a fortnight in prison before his trial at the sessions, if accused of sheep-stealing, but if committed for forgery, be kept five months in gaol?

Lord *Brougham* observed, that the Home Circuit, till lately, had three assizes in the year. This had been altered by the establishment of the Central Criminal Court. There never was any reason why the Home Circuit should have three assizes, more than any of the other circuits; except this, that the counties in the neighbourhood of the metropolis, had a greater number of offences to try, and a third assizes was adopted, because it was thought expedient, that the offenders should not remain untried longer than was absolutely necessary. When that act passed in 1834, several of the counties in the Home Circuit were included in the jurisdiction of the Central Criminal Court. He agreed with the noble Lord, that a more speedy trial of offences would be one of the greatest improvements in the criminal law. At the same time, the difficulty would be extreme of giving to all the counties additional circuits, because there would then arise a necessity for a greater number of judges. He differed from the noble Lord on the cross Benches, as to the expediency of having a chairman belonging to the profession of the law. He thought, that it would be of the greatest advantage, were the assizes presided over by a learned chairman, and he stated this without intending any invidious application to those who had hitherto so meritoriously, diligently, and, generally speaking, so ably discharged that office. He did not think, however, that the bill adverted to by his noble Friend near him (Lord Campbell) would have produced the effect intended. He was afraid, that few counties would make application for a legal chairman, if the expense was to be borne by the county. But as it was highly expedient that an alteration should be made as to the appointment of chairmen, he begged to suggest to the noble Lord on the Woolsack, that this point would form a fit adjunct to the bill relating to county courts.

Lord *Wharncliffe* said, he had given no opinion as to stipendiary chairmen.

The Marquess of *Normanby* said, his noble Friend stated, that he gave no opinion as to stipendiary chairmen. He might be allowed to say, that his noble Friend would be the last person to feel—that which every other person felt—the accidental removal of a person, who, for a number of years, had meritoriously executed those functions. His own experience led him to believe, that it would be highly desirable to make a trial of the experiment of a barrister as chairman.

The Marquess of *Northampton* could not help expressing his surprise at the difficulty mentioned by the noble and learned Lord. Why should not additional judges be appointed? and as to the expence, this, in his opinion, ought never to be placed in competition with the benefits likely to arise from the alteration.

Bill read a second time.

ATTEMPT TO SHOOT HER MAJESTY.] The Earl of *Galloway* presented a petition against railway travelling on Sunday. The noble Lord was proceeding to ask a question in relation to this subject, when the Duke of Buccleuch entered the House and whispered to the Lord Chancellor, and the Duke of Wellington. These noble Lords, with the other Members of the Government immediately left the House. The Lord Chancellor almost instantly returned, and the fact that her Majesty had been shot at becoming known, their Lordships at once adjourned.

HOUSE OF COMMONS,

Monday, May 30, 1842.

MINUTES.] BILLS. *Public.*—1°. Electors Removal.

Reported.—Witnesses Indemnity.

Private.—2°. Gair's Naturalization.

Reported.—Carlow Road; Liverpool Borough Court; Saltcoats Harbour; Tadcaster and Otley Road; Gravesend Terrace Pier.

Private.—3°. and passed:—Clerkenwell Improvement.

PETITIONS PRESENTED. By Mr. Hawes, from the Trustees of various Roads, against, and from J. Beresford Turner, in favour of the Turnpike Roads Bill; and from Dunbar, Ross, Alton, and Stroud, against the Exportation of Hill Coolies from British India.—By Mr. T. Duncombe, and Mr. S. Wortley, from the Guardians of the Hereford Union, York, Haithwaite, and Meltham, against the Poor-law Amendment Bill.—By Sir John Hanmer, from Hull, against the Introduction of a Clause compelling Public Houses to keep Closed from 12 o'clock on Saturday night till 1 o'clock on Sunday morning.—From John Wren, for Inquiry into the late Election at Southampton.—By Sir H. Douglas, from the Legislative Council and House of Assembly of New Brunswick, against Alteration of the Timber Duties.—By Sir A. Grant, from Cambridge, for the Repeal of the Duty on Attornies Certificates.—By Mr. Jackson, Lord Bernard, and Mr. Litton, from Ferns Leighlin Ossory, Temple Michael, Carrigaline, Barmaliaby, and Gavaghy, for Alteration of the present system of Education (Ireland).—From Roman Catholics of Stockton-upon-Tees, for Equality of Civil Rights.—From Worthing, and Chichester, against the Property Tax Bill.—From Ennis, in favour of the Rivers (Ireland) Bill.—From Maesteg, for Payment of Wages in Goods, instead of Money.—From George Williams, for Adoption of Measures for Preventing Bribery at Elections.—From Charles Frederick Collis Barns, for Inquiry into the Proceedings of the late Election at Brighton, and for Extension of the Franchise, and vote by Ballot.—From the Rev. James William Graves, for Relief on account of the Amount of Tithes due to him.

LYME REGIS ELECTION.] House informed, that the committee appointed to inquire into the Lyme Regis Election had determined,—

"That William Pinney, Esq., was not duly elected a Burgess to serve in this present Parliament for the Borough of Lyme Regis.

"That Thomas Hussey, Esq., was duly elected and ought to have been returned a Burgess to serve in this present Parliament for the Borough of Lyme Regis."

Determinations to be entered in the journals. House further informed, that the committee had unanimously come to the following resolutions:—

"That the committee think it right to inform the House, that although the general charge of bribery, alleged in the petition, has not been gone into, yet it has appeared in evidence, in the course of the scrutiny, that a corrupt practice has for some years prevailed in the Borough of Lyme, of lending money upon notes of hand, bills of sale, or other securities, to a considerable portion of a constituency which did not exceed 280 by the last registration.

"That, in the opinion of this committee, a practice so insidiously corrupting and demoralising, is peculiarly adapted to interfere with the free and honest exercise of the franchise, especially in small constituencies; that it has had this effect in the Borough of Lyme, and that it deserves serious attention and inquiry on the part of the House.

Report to lie on the Table. Return to be amended.

GRAND JURIES (IRELAND).] Mr. *O'Connell* wished to put a question to the noble Lord, the Secretary for Ireland. A report had been recently made on the grand jury system, suggesting the adoption of legislative measures with reference to that subject. What he desired to know was, whether it was the intention of the Government to act upon that report?

Lord *Eliot* was understood to say, the report the right hon. Gentleman referred to had only been lately made, and as the Government required ample time to consider the important questions involved in it, there would probably be no legislative measure on the subject introduced during the present Session.

PUBLIC BUSINESS.] Sir *R. Peel* said, he had, some time since, given notice of his intention to proceed with the property-tax that evening. He believed, it was also the impression of the House that it would certainly be proceeded with. There were a number of preliminary arrangements which it was absolutely essential to make, if the measure was brought into operation on the 5th of July; and, taking that circumstance into consideration, he did hope that no objection would be offered to proceed with the bill at once; and that he might be permitted to appeal to hon. Members to agree, that no question likely to lead to a discussion—not even a question of privilege—should be interposed.

Several motions were accordingly postponed.

MR. WREN'S PETITION—SOUTHAMPTON ELECTION.] Sir *John Easthope* begged to inquire of the hon. Member for South Hants, at what time he proposed to submit the motion of which he had given notice, respecting the petition which had been presented from Southampton, on the proceedings at the late Southampton election? This question had been rendered necessary by the course taken by the hon. Member for Lymington.

Mr. *Fleming* intimated that he should present the petition immediately before the motion of the hon. Member for Lymington for the issue of the writ for Southampton came before the House.

Mr. *T. Duncombe* had been entrusted with a petition upon this subject, which the House would perhaps think it would be convenient that he should present at once. It had been his intention to present that petition at the time when the motion of the hon. Member for Lymington came under discussion, but the postponement of that motion induced him to think that it was highly desirable that the petition should be printed with the votes, in order that its contents might be made known to all hon. Members; and he was convinced that when the allegations which it contained were made known to the House, there would be no hesitation in refusing to issue the new writ for this borough. The petition proceeded from John Wren, the witness who had been in custody, in consequence of what had passed before the election committee, and it stated a variety of circumstances, and pressed upon the House the necessity of a further and searching inquiry, in which the witnesses should under the protection of an indemnity, into the scandalous corruption which had taken place in the borough of Southampton. The petitioner further prayed, that the House would delay the issuing of the writ. He moved that the petition be printed with the votes.

Mr. *Mackinnon* should certainly oppose the motion.

Mr. *T. Duncombe*: Surely, upon a subject like the present, the House must wish to have all the information which they could possibly procure; and it was impossible that they could reject the offer of the witness, who came before the House and tendered his evidence.

Petition drawn up, and

The *Speaker* intimated that it was not in accordance with the practice of the House that a petition, being thus presented, should be printed with the votes, but the petition must be referred to the committee on public petitions.

Mr. *W. O. Stanley* said, that having read the petition, he thought that it was of the utmost importance that it should be printed, and that it should be in the hands of all hon. Members as speedily as possible. The petitioner declared that if he were granted an indemnity and examined, he should be able to disclose the circumstances connected with a most extensive system of bribery, not only at the last, but at the two previous elections for the borough of Southampton.

Mr. *Mackinnon* would beg to observe that this petition was from the very person who had behaved so ill before the committee. He put it to the good sense of the House whether they would violate the common understanding of the rules of the House for the purpose of printing a petition which showed that the evidence which this very person had previously given was not to be believed.

Mr. *Redington* said, that there had been a time when the conduct of this man, so far from its calling for animadversion from hon. Members opposite, had demanded their sympathy. But circumstances now seemed to be changed. The object of his hon. Friend in making this motion at the present time was to save the time of the House. He put it to the hon. Member for Lymington, whether he could bring forward his motion until the petition had been printed.

Sir *Robert Peel:* As a motion was to be brought forward, and as it was distinctly stated that this petition had reference to the subject matter of that motion, the question was whether this was not a case which was exempted from the operation of the general rule of the House. If the hon. Member for Finsbury had given notice of his motion, it would have been competent to him to have moved that the petition be printed; but as the petition related to a motion about to be brought forward, he thought that the case was one in which the rule might be broken through. It was, no doubt, of great importance that the rules of the House should be adhered to, but this might be looked upon as a case which justified an exemption. Whether the character of the witness entitled him to credit was a question upon which they would be able to form a judgment on seeing the petition; but with reference to issuing the writ, as the allegations on the petition had a strong bearing on it, he should think that it was important that the motion should be acceded to.

Mr. *O'Connell:* The misconduct of the witness when before the committee had consisted in his refusing to answer a question, lest he should criminate himself. He now came forward and said that if he was indemnified he would give evidence. It was obvious that he would be able to make some disclosures, because he had been one of the most active men at the election; and there was no doubt he knew all that had occurred.

Mr. *T. Duncombe* had presented the petition merely for the purpose of saving the time of the House; for if he had not presented it now, he should have done so on Wednesday next, when a considerable discussion would no doubt have ensued. They would find in that petition, that so far from Wren not having spoken the truth, the charge was that he had spoken too much of the truth, and that he was now, in consequence, placarded all over Southampton as having betrayed his party; and the public were now cautioned against dealing with that individual, in consequence of what he had stated. The petitioner further said, that he had not mentioned one-tenth of the transactions which he knew to have occurred at the elections, and that he had a book in which the several sums of money expended in bribery were set down. If they resisted the printing of this petition, and would not receive the information which was now offered them through that petition, he wanted to know what the public would think of that transaction. The book to which the petitioner referred contained the entries relating to various sums amounting to 6,000*l.*, and one of the pages of this book was stated by him to be signed by the returning officer. That was a very important point to be inquired into; and if the petition were printed, he really thought that no hon. Member would vote for the issuing of the new writ.

Mr. *Fleming* said, that Mr. Wren had not only told all that he knew, but a great deal more. If the House wished to know the character of Mr. Wren, he would read to them a letter. The hon. Member was then proceeding to read a letter, when

Mr. *T. Duncombe* rose to order. If that letter was to be read, the petition ought to be read first.

Mr. *Fleming* had had a communication from the returning officer, whose letter, after what had been said, ought to be read. He had also a letter which showed the general character of this person Wren. The letter was addressed to himself, and the writer said, that having read the proceedings before the late election committee, and having observed that Wren had been represented as a respectable tradesman in the town, he considered it to be his duty to inform him, as the Member for the county, of a circumstance which had occurred to himself. He then stated that at an interview which he had had with Wren some time since, a conversation had sprung up respecting a person who was an insolvent debtor, and who was about to be heard in London before the commissioners. The writer of the letter remarked, that he did not consider the person referred to would get through the court if he spoke the truth; whereupon Wren said, that "he should not himself speak the truth in such a case; and that as for an oath, he did not value it, and that he would swear through thick and thin to get through the court," or words to that effect. [" Name, name."] The writer's name was Robert Tomkins, and he was a respectable tailor at Southampton.

Mr. *G. H. Ward* rose to order. It was not in order when a person came before the House, tendering information, for any hon. Member to rise in his place to blacken the character of that individual by statements such as those that had been read. His belief was, that the hon. Member would have quite enough to do to defend his own conduct. [" Order."]

The *Speaker* said, that an hon. Member rising to order could hardly make such observations as those made by the hon. Member for Sheffield.

Mr. *Henry Baring:* The hon. Member for Finsbury had gone into the case of Mr. Wren. There could be no objection, he should think, to have this petition printed; but with regard to Wren's character, as the hon. Member had chosen to state some of the allegations contained in the petition, his hon. Friend felt that he had a perfect right to say, that he believed that a greater vagabond did not exist.

Mr. *Fleming* had also received a communication from Mr. Abraham, the returning officer. This letter was dated the 20th May, and the writer said, that the proceedings of the select committee having been laid before the House, he took the liberty of stating that the evidence given by Wren, with regard to the vote of a person named Whitmarsh, was wholly untrue; that Wren had spoken to him with regard to Whitmarsh, was true; but so far as Wren had sworn, he had had a private communication with him he denied, for he had positively refused to hold any communication with Wren on the subject, and had expressed his surprise at his mentioning such things to him, he being then the returning-officer. The writer added, that he had been in London several days during the sitting of the committee, in obedience to a Speaker's warrant which had been served on him by the petitioners, and, had he been called, he should have stated these facts. They, however, had not called him, and he had been compelled to take this course to make known the truth; he thought it due to himself to make this statement, and thus publicly to vindicate himself. This letter was signed " A. H. Abraham." By way of postscript, the writer added, that Wren had come to his House, and had stated to him that an agent of Messrs. Hutchins and Mangles had come to him, and in the presence of two persons, named Wood and Wilkinson, had offered him 300*l.* if he would give the agent some information with regard to the election.

Sir *John Easthope* must make one remark upon this subject. It was very clear that this John Wren, whose character was so very strongly impugned by hon. Gentlemen opposite, and who was represented as one of the greatest vagabonds in the country, was a very great Conservative; but however great a vagabond he was, he had been admitted into their ranks for years, and great confidence had been reposed in him. It appeared now, however, that they would be glad to get rid of him, whatever his former position might have been, and that they desired to shift from themselves the odium which might result from the disclosures which he might make.

Mr. *Ward* thought, that the petition ought to be laid fully before the House, in answer to what had been said in the letters read by the hon. Member opposite and he begged to call the attention of the House and of the right hon. Baronet to the allegations in the petition. The petitioner said that he was in possession of a memorandum-book, not produced before the committee, which contained an account of sums of money with which certain electors had been bribed, and containing also the signature of the returning officer, authorising the bribing of a certain elector, which elector was bribed accordingly. It was quite obvious that this petition must be printed and come before the House before they could pursue the proceedings with respect to bribery. Those proceedings would become an absolute farce, if, when a man was knocking at their door, and offering to produce such evidence, they should refuse to hear him.

Sir *R. Peel* did not know why the hon. Gentleman should refer to him, because he had already said that there were fair grounds to warrant the printing of this petition. He thought that the issuing of the writ involved a question of a judicial character, and it was the duty of the House to see what evidence could be procured bearing upon it. His opinion was, that this evidence ought to be examined before the issuing of the writ was determined upon.

Petition ordered to be printed with the votes.

COMMON LAW COURTS (IRELAND).] Mr. *Lefroy* had heard a report, which he believed to be well founded, that the Government entertained an intention to alter the condition of the common law courts in Ireland; and, from what he had heard, it appeared as if the measure to be introduced was in some degree oppressive. He wished to know whether the measure in question had received the sanction of the judges in Ireland.

The *Chancellor of the Exchequer* said, that a bill had been drawn up in accordance with the report of a commission appointed to investigate the subject, and that a copy of it had been transmitted to the judges of Ireland; and that the bill would not be proceeded with until the decision of the judges should be known.

ADVANCES TO THE EAST INDIA COMPANY.] Mr. *B. D'Israeli* wished to know from the right hon. Baronet at the head of the Government, whether her Majesty's Government had advanced any sums of money to the East India Company, or whether they had sanctioned the East India Company in raising any?

Sir *R. Peel* said, that the question of the hon. Member was rather a complicated one. It would be better that it should be repeated to-morrow, when he would be prepared with an answer.

Lord *John Russell* agreed that it was very desirable that, when a question of such a nature was to be asked, some notice of it should be given.

Mr. *D'Israeli* had thought that the subject was so entirely within the department of the right hon. Baronet, that there could be no necessity for any notice of it. The question was one which was of considerable importance in reference to the Property-tax Bill, which was now about to be brought under discussion.

Sir *R. Peel* thought it was very important, that when an answer to a question was given, it should be afforded with the greatest accuracy possible. If he had received any intimation of the intention of the hon. Member to put this question to him, he would have been prepared to give him an answer; but when answers were given without due consideration, so much misconception was likely to arise, that, especially in cases like the present, involving considerations affecting the Government and this great company, it was better that an answer more particular than could be afforded on the moment should be given.

INCOME-TAX—THE REPRESENTATION.] Sir *R. Peel* moved the third reading of the Property-tax Bill.

Mr. *Sharman Crawford* moved as an amendment,

> "That as by the existing laws, a large proportion of the people of this realm are excluded from voting for Members of Parliament; and as it also appears, by the reports of different election committees, that corrupt practices have been used to an extraordinary extent in procuring the return of Members to this present House of Commons; and as, from both these causes, this House cannot be considered a fair representation of the people; it is therefore unfit that any system of increased taxation should be imposed by Parliament until all just causes of complaint, with regard to the mode of electing the Members of this House, shall be first redressed."

The hon. Member throughout the whole of his speech was most imperfectly heard. We understood him to say, that it was a fundamental principle of the constitution that a Money Bill should not originate in the House of Lords, on the ground that the people should only be taxed by their representatives in that House. He denied that under the present system there was even a virtual representation of the people. If they compared the return of the population, with the representation of the people in Parliament, it would appear, that in England and Wales the electors were not in greater proportion to the population than one to eighteen and a half; and in Ireland, the proportion was one in seventy-seven; and in Scotland, it was one in thirty. The proportion was now probably somewhat different, so as to render the number of the electors in a still smaller proportion to the population. At the above rate, the average of the United Kingdom would be as one to forty-two of the population, or as one voter in every nine families. Of nine male heads of families in the United Kingdom, on the average only one has the right of voting. This, to his mind, was undeniable evidence of the corrupt state of the representative system. No greater proof of this could have taken place than the conduct of the House on the motion of the hon. Member for Finsbury, when he proposed that every Member appointed on the committee on the motion of the hon. and learned Member for Bath, to inquire into the recent election compromises, should take a pledge at the Table that he had never done an illegal act to promote his election. And when it appeared there were not sufficient Members in that House who would take that pledge, it appeared that there were not less than forty places returning Members to that House against which petitions had been presented on the allegation of bribery. If a review were taken of the proceedings and reports of the different election committees and other disclosures since the Reform Act, we should find upwards of forty towns tainted with the imputation of bribery. He believed, this would be a list of places in which bribery has been proved since the Reform Bill, and reported by the committees:—Hertford, Carrickfergus, Newry, Derry, Warwick, Ipswich (twice), Evesham, Newcastle-under-Lyne (twice), Ludlow, Cambridge, St. Alban's, Walsall (treating), Sudbury, Southampton. Cases in which compromises have been made to avoid exposure:—In 1837, Bridgnorth, Norwich, Yarmouth; in 1842, Bridport, Nottingham, Lewes, Reading, Harwich, Penryn; in 1841, Canterbury. Cases in which bribery was proved before the general committee of bribery at elections:—Maldon, Cambridge, Norwich, Leominster, Hereford. Special committees have sat and reported on the bribery at Yarmouth and York. Gross bribery has been proved to exist in London, Hull, Liverpool; and places where the bribery is notorious, Pontefract, Beverley, Berwick, Stafford, Maidstone, Bridgwater, Boroughs in which petitions remain still to be tried, in which bribery is charged:—Belfast, Barnstaple, Sunderland. Again, he felt, that in consequence of the state of the representation, this nation had been engaged in wars which had been most disastrous in every sense of the word. To show the feeling which existed on this subject, every member of the Birmingham conference on the subject of reform, with the exception of two, signed the following declration:—

> "We, the undersigned (many of whom are convinced of the utter inconsistency of all war with Christianity), and all of us deeply impressed with a sense of the terrible evils inflicted by it upon our race, the heaviest temporal calamity under which society groans, hereby record our solemn protest against it. We deem it our duty, more especially at the present moment, when the horrors of the system are brought out in vivid relief before our eyes by the recent loss of human life in Affghanistan, to declare our full conviction that the hostilities now carried on by this country in the eastern world, whether in China or beyond the borders of British India, having originated in glaring injustice, cannot be expected to terminate otherwise than in national disaster and disgrace. We believe the commencement of these hostilities to have been as unjust, impolitic, and unnecessary, as their progress hitherto has been calamitous. We have just reasons to fear that their continuance will be protracted, and we are sure that they will be productive of an incalculable amount of evil, both social and moral. We enter our solemn remonstrance against them as not only anti-Christian, but barbarous; and we deeply deplore that the public press of this country should, with few exceptions, lend its aid to kindle in our population the most vindictive passions, and to diffuse sentiments worthy only of the darkest ages of feudal ignorance and tyranny. We hold it to be the duty of every friend to his species in every possible way to discountenance those organs of opinion which labour with no small assiduity to foster a warlike spirit, and to incite the country to the perpetration of injustice which will make the name of Englishmen infamous in the estimation of the whole world. Great Britain is already suffering in an enormous load of debt, and in commercial and manufacturing distress, consequent upon the pressure of that debt, the penalties of former wars. As a people we are ill able to bear up under the heavy burdens which have thereby been imposed upon us. We are now called upon to submit to an inquisitorial Income-tax, the necessity for which is clearly admitted as traceable to the hostile operations we have undertaken, in the face of all laws, human and divine, in China and Affghanistan. We have thus to pay, in an increase of taxation, for the demoralization at home, and the bloodshed and ruin abroad, which these hostilities have already produced, to feed from our rapidly diminishing resources the monster which is making havoc of our fellow-men. Therefore, we, the undersigned, feeling the necessity of using every peaceable method of checking the evil, lay this our solemn remonstrance before the public, and record our devout hope, that

the day may not be far distant when our countrymen will be sufficiently enlightened to refuse to enter upon a profession, the spirit and tendency of which is to inflict the most grievous and irreparable evils upon our race."

What he recommended as a remedy to these evils was the extension of the suffrage, the division of the country into electoral districts, the ballot, and the shortening the duration of Paliaments. He had already, during the present Session, brought a motion to that effect before the House, and all inquiry into that matter had been refused. Was not the general prevalence of distress throughout the country a proof of the badness of their legislation? He might be asked what would take place if this resolution was carried? The result would be, that the House would immediately take into consideration the state of the representation, and have a new Parliament altogether. He did not call upon the House to adopt the principles of the Charter, but only at once to declare that it would proceed to redress all just causes of complaint. In bringing forward this motion, he was not influenced by any party considerations. He had always advocated the amendment of the representation of that House, and he always supported the principle that representation should be equivalent with taxation. At present, when new taxes were proposed, he thought that it was a most appropriate time to bring forward the motion. The hon. Member concluded with proposing his motion.

Sir *R. Peel* trusted, that the hon. Member would not charge him with any want of respect if he declined to enter into the discussion of this motion, which the hon. Member's speech, however, held out every inducement to do. He thought that much more favourable occasions could have been adopted for proceeding with a proposition for a change in our representative system. The hon. Gentleman, on his former motion on this subject, stated very strong opinions that that House did not represent the feelings of the people, and that the whole system of representation was defective. The hon. Gentleman's motion, which involved the main principle of his resolution of that night, had already been fully discussed. The proposition which was now made was even of a more extensive character than that made on a former occasion, for the hon. Member now declared that the House of Commons, as at presented constituted, was incapable of performing its functions, and that the only step they ought to take was immediately to resolve upon an extensive reform in the representation. If the House was not at liberty to impose an Income-tax, they were hardly competent to reform the tariff, and were not capable of performing any of the constitutional functions which had been assigned to it. If the House was unfit to impose this measure, there was no other act which they could justly perform. He was very much afraid that the hon. Gentleman's motion would go to the extent of declaring, that the House could not even reform itself. In short, all the functions of legislation must be stopped until this reform took place. He thought that this would be most unwise in the present state of the country. He had already stated the substantive objections he entertained to the proposition on a previous occasion, and he would not then repeat them. He thought also, that it would be most inexpedient to discuss the question of Parliamentary reform on a motion for the third reading of the Income-tax bill. He trusted that the hon. Member would not think that his abstaining to say any more on the present occasion arose from any want of respect.

Mr. *O'Connell* confessed, that the motion might have been made in a more convenient form, but still he could not concur on all that had been advanced by the right hon. Baronet. There was an impression in the minds of many hon. Members who had obtained their seats by no unfair means, that if the time should come when the alterations which they thought necessary were definitively refused to be made by giving a *bonâ fide* suffrage, the period might also come when they would be induced to give more obstructions to the measures of Government than hitherto. That it was necessary to purify the House from bribery was no longer a matter of declamation, but of positive proof. The right hon. Baronet must not be surprised, therefore, if he met with further opposition to a Government which would not consent to further Parliamentary reform.

Mr. *Hume* had no hesitation in saying, that the House did not at present represent the feelings of the country; but with respect to the form of the motion, he must say, hon. Members were placed in a difficulty, because they were not able to obtain a direct negative on this question. For his part he decidedly objected to the Income-tax, thinking that other means might have been adopted for raising the required amount of taxes; and he did not agree with the right hon. Baronet that the measures he proposed would give the relief to the country which he anticipated. Every hour, in his opinion, brought more proof that those measures were a mere palliative of the evils of the present crisis. There was a great mass of proof that what the people wanted was employment and food, which they would have if they could get employment. By the operation of the Corn-laws on wages the House had placed the whole community under that ban that they must starve; and there could be no hope without a revival of trade. That revival this country would never see until they had a free communication with America and other countries who had that which we wanted to give in exchange for our manufactures. A vast deal too many of our acts of Parliament were acts to support monopoly in one shape or the other. As to the corruption and bribery at the late election, every hour proved it. Another borough (Lyme) had just been brought within the line, and a new form of bribery had been disclosed — bribery, namely, in the form of money lent to the voters for a number of years, in order to secure their votes. That was distinctly bribery. All these things supported the position that the House of Commons did not at present represent the feelings of the people. He should vote for the amendment, and should oppose every stage of the bill now before the House. As to the operation of the Income-tax, it would only increase the evil. There was no transfer of the burden from one class to another, as the right hon. Baronet assumed; it was an additional tax.

Lord *J. Manners* had no doubt that this motion originated from a new society for Parliamentary reform which had sent a circular to the Members of the House. These stated, that the chief part of the newspaper press of the country, including all the metropolitan press, being under the influence of one or other of the two great parties, it was impossible that Members could be fully made acquainted with the feelings of their constituents, and that, therefore, the House did not represent the wishes of the country, and the system of representation ought to be reformed. With that conclusion, drawn from such premises, he did not concur, and he should like to know what portion of the population it was, that could not obtain a full and free expression of their grievances by means of the press. In his opinion there was no class so well represented in the House as the middle class—the shopkeepers and farmers. With respect to the Income-tax Bill, he supported it because he looked upon it as a bold—and believed it would be a successful—attempt to diminish the influence of wealth; to which, and not to the influence of aristocracy, a great part of the present evils were to be attributed.

Lord *J. Russell* observed, that the adoption of the amendment of the hon. Member would go to the extent of making the House declare, that it was incapable to perform the functions of legislation. He should oppose the amendment and should also take the sense of the House on the third reading of the Income-tax Bill

The House divided on the question, that the words proposed to be left out stand part of the question:—Ayes 156; Noes 21;—Majority 135.

List of the AYES.

Acland, Sir T. D.
A'Court, Capt.
Acton, Col.
Ainsworth, P.
Allix, J. P.
Bagge, W.
Baillie, Col.
Baird, W.
Baring, rt. hn. F. T.
Barnard, E. G.
Barneby, J.
Barrington, Visct.
Beckett, W.
Bodkin, W. H.
Boldero, H. G.
Broadwood, H.
Brodie, W. B.
Buller, Sir J. Y.
Burrell, Sir C. M.
Burroughes, H. N.
Busfeild, W.
Cavendish, hn. G. H.
Cayley, E. S.
Chelsea, Visct.
Chetwode, Sir J.
Childers, J. W.
Cholmondeley, hon. H.
Chute, W. L. W.
Clerk, Sir G.
Clive, E. B.
Cockburn, rt. hn. Sir G.
Colebrooke, Sir T. E.
Compton, H. C.
Conolly, Col.
Corry, rt. hon. H.
Craig, W. G.
Dalmeny, Lord
Damer, hon. Col.
Darby, G.
Dawson, hon. T. V.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir C. E.
Duncombe, hon. A.
Duncombe, hon. O.
Eliot, Lord
Escott, B.
Fitzroy, Lord C.
Fitzroy, hon. H.
Flower, Sir J.
Ffolliott, J.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Glynne, Sir S. R.
Goulburn, rt. hn. H.
Graham, rt. hn. Sir J.
Greenall, P.
Greene, T.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grogan, E.
Halford, H.
Hamilton, J. H.
Hamilton, W. J.
Hamilton, Lord C.

Hampden, R.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hawes, B.
Heathcote, G. J.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Heron, Sir R.
Hervey, Lord A.
Hodgson, R.
Hogg, J. W.
Howard, hon. E. G. G.
Howard, P. H.
Hughes, W. B.
Humphery, Mr. Ald.
Hutt, W.
Johnstone, Sir J.
Kelburne, Visct.
Knatchbull, right hon. Sir E.
Lefroy, A.
Legh, G. C.
Lemon, Sir C.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Litton, E.
Long, W.
Lowther, J. H.
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.
M'Geachy, F. A.
Mainwaring, T.
Manners, Lord J.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Mordaunt, Sir J.
Morgan, C.
Mundy, E. M.
Newport, Visct.
Nicholl, rt. hon. J.
Northland, Visct.
O'Brien, A. S.
Ogle, S. C. H.
Packe, C. W.
Palmerston, Visct.
Patten, J. W.
Peel, rt. hn. Sir R.
Peel, J.
Pendarves, E. W. W.
Plumptre, J. P.
Pollington, Visct.
Pollock, Sir F.
Ponsonby, hn. C. F. C.
Price, R.
Pringle, A.
Rae, rt. hon. Sir W.
Reade, W. M.
Reid, Sir J. R.
Rice, E. R.
Richards, R.
Rose, rt. hn. Sir G.
Round, C. G.
Round, J.
Rushbrooke, Col.
Russell, Lord J.
Sheppard, T.
Smith, rt. hon. R. V.
Smyth, Sir H.
Smythe, hon. G.
Somerset, Lord G.
Stanton, W. H.
Staunton, Sir G. T.
Stewart, J.
Sutton, hon. H. M.
Thornhill, G.
Trevor, hon. G. R.
Vere, Sir C. B.
Vesey, hon. T.
Wall, C. B.
Wilde, Sir T.
Wood, C.
Wood, Col. T.
Worsley, Lord
Wortley, hon. J. S.
Wrightson, W. B.
Wyndham, Col. C.
Wynn, Sir W. W.

TELLERS.

Baring, H.
Fremantle, Sir T.

List of the Noes.

Bodkin, J. J.
Bowring, Dr.
Brotherton, J.
Byng, rt. hon. G. S.
Cobden, R.
Drax, J. S. W. E.
Duncombe, T.
Ellice, E.
Ferguson, Col.
Fielden, J.
Hollond, R.
Hume, J.
Leader, J. T.
Marsland, H.
Murray, A.
O'Connell, M.
Plumridge, Capt.
Scholefield, J.
Strickland, Sir G.
Wakley, T.
Williams, W.

TELLERS.

Crawford, W. S.
O'Connell, D.

Question again put that the bill be read a third time.

Attempt to Assassinate the Queen.] Mr. *F. T. Baring* rose, and was proceeding to bring forward an amendment, when

Sir *R. Peel,* who had just previously been called out of the House by Sir J. Graham, rose, amidst loud cries of "hear," and addressed the house in the following words, at least as nearly as we could collect them, for the right hon. Baronet's excitement well nigh overpowered his utterance:—Whatever may be the inconvenience to the public service resulting from delay, yet still I think it would be inconsistent with my duty, with my position, and I feel certain it would be unsatisfactory to the House, were I not, after what I have just heard, to propose that the consideration of the question now before us be postponed. I ought to premise, that the information I have received is so imperfect that I must repeat it with great distrust as to the entire accuracy of it; but, since I came into the House, information has reached me that an attempt has been made on her Majesty's life—an attempt which a merciful Providence has rendered abortive; and I have reason to believe, that the assassin is now in custody; and he will, consequently, at as early a period as possible, be subjected to an examination. Under these circumstances—[Mr. *C. Wood:* Is the Queen quite safe?] Perfectly so. I would, under these circumstances, suggest that we do now adjourn, and if this proposal be agreed to, the debate can be renewed to-morrow. My noble Friend the Member for Dorsetshire, has received a pledge of precedence for his motion to-morrow at five o'clock, but immediately after that is disposed of, the right hon. Gentleman's amendments can be taken. At present I do not think that, our feelings being naturally all so excited, we could pay proper attention to the subject; and I therefore would suggest that, not only out of respect to our Sovereign, but from our inability, under the circumstances, to pay the requisite attention to the question before us, it will be better to postpone the debate, and I therefore move, that the House do now adjourn.

Lord *J. Russell:* I beg to second the motion. The excitement that we must all necessarily feel at the news which we have just heard, our horror at the attempt which has been made, and our delight that her Majesty's life has been saved, concur to throw us into that frame of mind which would prevent our paying anything like due attention to the matter before us.

Debate adjourned.

House adjourned.

HOUSE OF LORDS,

Tuesday, May 31, 1842.

MINUTES.] BILLS. *Public.*—2ª· Incumbents Leasing (H. C.)

3ª· Roasted Malt; Pentonville Prison.

Received the Royal Assent.—Excise Duties Compounds; Ecclesiastical Residences; Queen's Prison; Dublin Police; Turnpike Roads (Ireland).

Private.—1ª· Clerkenwell Improvement.

2ª· Tyne Fisheries; Market Harborough and Brampton Roads; Birmingham and Liverpool Junction Canal; Yate Inclosure; Toxteth Park Paving and Sewerage; Holywell Roads.

3ª· and passed:—Northern Union (Newcastle and Darlington Junction) Railway; Charterhouse Estate; Bristol and Gloucester Railway; Slug Roads; Forth and Clyde Navigation.

Reported.—Sir F. Bathurst's Estate; St. Phillip's Bridge (Bristol); Faversham Navigation; Great North of England Railway; Cwm Celyn and Blaina Iron Company.

Received the Royal Assent.—Saundersfoot Railway; London and Blackwall Railway; Bristol Floating Dock; Ellesmere and Chester Canal; Gosport Pier; Equitable Gas; Kirkintilloch Roads; Aberdeenshire Roads; Huish Champflower Inclosure; Glegg's Divorce; Bates's Naturalization.

PETITIONS PRESENTED. From the Bakers of Newry, against the Practice of Working on the Sabbath.—From Attorneys and Solicitors of Bury, for Relief from the Payment of the Certificate Duty.—From William Johnston, for Preventing Railway Travelling on the Sabbath.

ATTACK ON HER MAJESTY—ADDRESS.] The Duke of *Wellington* said: Your Lordships must have heard with sorrow and indignation, the reports circulated of an attempt having been made last evening upon the life of her Majesty. It falls to my lot, on the part of her Majesty's Government, to inform your Lordships that such an attempt was last evening made on her Majesty's life as she was returning in her carriage, accompanied by his Royal Highness the Prince Consort, to her palace of Buckingham House, which attempt, by the blessing of Divine Providence, failed. It was made by a person stationed within a short distance of her Majesty's carriage, who fired a pistol at her Majesty. Her Majesty, as I have stated, by the blessing of Divine Providence, escaped unhurt. The person who committed this act—this atrocious act, I will call it—was immediately taken into custody, and his crime is now undergoing the usual course of legal inquiry, and in due form, he will be brought to justice. I avoid entering into the details of this painful transaction; I confine myself simply to the performance of the duty of stating the fact to your Lordships, and of moving your Lordships to concur in presenting to her Majesty an address of congratulation upon the occasion of this atrocious and treasonable attempt upon the life of her Majesty, which, by the interposition of Divine Providence, was defeated. I will, therefore, now propose, that such an address be agreed to, and I will afterwards move, that it be communicated to the House of Commons in a conference, for the management of which, Members of that House will be appointed. I recommend that the address should be in the following terms:—

"MOST GRACIOUS SOVEREIGN;

"We, your Majesty's most dutiful and loyal subjects, the Lords spiritual and temporal, in Parliament assembled, beg leave humbly to approach your Majesty's Throne, to express our abhorrence of the late treasonable attempt against your Majesty's sacred person, and our heartfelt congratulations to your Majesty and to our country on your Majesty's happy preservation from the danger to which your Majesty has been exposed. Attached to your Majesty by every sentiment of loyalty, by a sense of the benefits we derive from your Majesty's just and mild Government, we acknowledge with gratitude and humility the merciful interposition of Divine Providence which has been manifested on this occasion; and we make our earnest prayer to Almighty God, that he will confer on your Majesty every blessing, and continue to watch over and guard a life so justly dear to us."

The Marquess of *Lansdowne* said, I hardly know whether it be excusable in me for a single moment to prevent the adoption of a proceeding which must meet with the universal concurrence of this House; but in the absence of a noble Friend of mine, who I am sure would have been present on this occasion if he had not been at such a distance from London as prevented his becoming apprised of the event to which the attention of your Lordships has been directed, I trust I may be permitted merely to say, that every sentence uttered by the noble Duke on this sorrowful occasion, must find an echo in every one of your Lordships' bosoms. There can be but one feeling; there can be no hesitation; there can scarcely be a thought or the possibility of doubt as to the fit course of proceeding to be adopted; and it is quite a sufficient ground for that proceeding, that the noble Duke has stated a fact of so grave and so melancholy a nature as that which has become but too well known to your Lordships and to the country. It is far from my wish, or my intention in the present stage, to put any further question on the subject to the noble Duke; to ask for information in the present state of the inquiry would be improper, and if required, it would be most expediently withheld. At the same time, with the feelings I entertain, it is impossible for me to avoid adding a hope, that after giving way to the feeling which prompts your Lordships immediately to go up to the throne, with the expression of the warm and deep sentiments common to us all, you will hereafter feel it your duty as legislators, not to stop here, but when you have contemplated the source, whatever it may be, of this extraordinary crime, to direct your attention, if it can be usefully so bestowed, to the causes which may have led to that which is as great a phenomenon in human nature, if we look to the absence of all motive, as it is the greatest of crimes, if we look to the character of the consequences which might unhappily, but happily did not, follow the attempt. At present, however, there can be but one feeling in the House, and we ought not to lose a moment in recording and giving effect to that feeling. I beg leave, therefore, to second the motion of the noble Duke.

The Duke of *Wellington* moved, that a committee be appointed to draw up an address to her Majesty.

Lord *Portman*: My Lords, I beg your Lordships will allow me to interpose for a single moment, in order to state a fact which will tend to increase, if any fact can, the sentiments of gratitude to the Almighty, and of affection and admiration for her Majesty, which we all feel, and are about to express in the address proposed by the noble Duke. Her Majesty, my Lords, relying with full confidence on the protection of the Almighty, to shield her from any danger to which she might be exposed, mindful of the safety of those engaged in her Majesty's service, and probably thinking that the ladies who generally accompany her in her afternoon drives might yesterday run some risk, abstained from commanding the attendance of any of them. Whatever danger was to be encountered, her Majesty seemed to have resolved that no other lady than herself should be exposed to it. As an individual, my Lords, whose nearest and dearest relative is in waiting on her Majesty, and who might, but for her Majesty's magnanimous determination, have on that occasion been placed in a situation of peril, your Lordships will, I hope, think it not unbecoming in me to have mentioned a circumstance which is so truly ennobling to her Majesty, and which must render her still dearer not only to those amongst us whose relatives are in her service, but, I may venture to add, to all her subjects.

Lord *Brougham*: On the subject of the proposed address there can be but one feeling in doors and out of doors; but I beg to have it distinctly understood that it is my deliberate opinion, in reference to what fell from my noble Friend (the Marquess of Lansdowne), that the law of England, as it at present stands, is abundantly sufficient to repress such atrocities, and by condign punishment to prevent a repetition of them.

The Marquess of *Lansdowne*: I did not mean to refer to the necessity of any new legislative enactment, but merely to say that all the circumstances connected with this crime should be minutely probed and made known for the satisfaction of the public mind.

Lord *Brougham*: I am not to understand my noble Friend, then, to contemplate any change in the criminal law in consequence of this melancholy and atrocious event.

The Marquess of *Lansdowne*: Certainly not.

The question that a committee be appointed to prepare an address to her Majesty carried, and the committee named, the Peers forming it retired for the purpose of drawing up the address, and the House adjourned during pleasure.

In a few minutes the committee, headed by his Royal Highness the Duke of Cambridge, returned to the House, and the Lord Chancellor resumed his seat on the woolsack.

The Duke of *Cambridge* said, that he had been authorised by the committee of their Lordships to propose the address to her Majesty, which was precisely in the terms previously read by the Duke of Wellington.

The Earl of *Shaftesbury* moved that it be communicated to the House of Commons, as the concurrence of that House desired.

Question carried.

The following noble Lords were appointed to communicate the address in a conference with the Commons:—

The Lord President of the Council; the

Lord Privy Seal; the Duke of Richmond; the Duke of Wellington; the Marquess of Lansdowne; the Marquess of Normanby, and the Bishop of London.

Conference held, and

Lord *Wharncliffe* reported, that the Peers appointed had met the managers on behalf of the Commons, and had placed in the hands of Sir Robert Peel the address to the Queen to which their Lordships had agreed.

Shortly afterwards, Sir Robert Peel and others brought up from the Commons the assent of that House to the address voted by the Lords to her Majesty.

On the motion of the Earl of Shaftesbury the joint address was ordered to be presented to her Majesty by the whole House, and that the Lords with white staves wait upon her Majesty to know her Majesty's pleasure when she would receive the address. It was subsequently announced that her Majesty would receive the address at three o'clock on the following day.

THE BISHOP OF CANADA.] Lord *Howden* said, that seeing the right rev. Prelate to whom was officially confided the spiritual welfare of our colonies in his place, he would take the liberty of asking him a question. He would not detain their Lordships long, but he thought that many of their Lordships would be somewhat surprised at the statement which he was going to make, and which appeared to be rather a tradition of the middle ages than an occurrence which had taken place in a British colony hardly a year ago. An officer of rank in her Majesty's army died at Quebec, while he was serving with his regiment in Canada. He was well acquainted with that officer, who was long a brother officer of his, and it was in his power to speak of his irreproachable character and uniformly good conduct. After his decease the officers of his regiment, anxious that, in a distant and he might say a foreign land, some testimonial might remain of their regard to his memory, caused a tablet to be engraven, merely inscribing upon it a few words, stating the circumstances of his death, and the respect and affection of his brother officers, which he carried with him to the grave. This testimonial—a very innocent one he should have thought—being completed, the friends of the deceased wished to place it in the church of the city, and they applied *pro formâ* to the colonial bishop for leave to do so. This permission was refused. What were the reasons for refusing it he knew not, but he did think it would be difficult to find any justifiable reason whatever under any possible circumstances for offering insult to the dead. He wished to call their Lordships' attention to the fact that this officer was born of parents belonging to the church of England; he was baptized and brought up according to the rites of that church; he was accustomed to attend divine service with the officers and men of his regiment, and he was not aware that there was any occurrence upon record which could justify any inquisitorial surmise that that gallant officer did not die in that persuasion. He would ask the right rev. Prelate, first of all, whether the statement he had made were correct? and if so, then he would ask whether the conduct of the colonial bishop had met with the confirmation and approval of his spiritual superior at home?

The Bishop of *London* said, that the noble Lord having had the kindness to communicate to him his intention to ask this question, he was prepared to answer, though he did not admit that a bishop was responsible to their Lordships, much less to any one Member of their Lordships' House, for any regulations he might think fit to establish for the government of his diocese, and the administration of the rites of his church. The noble Lord had fallen into an error in describing him in having the superintendence of the spiritual affairs of the colonies. He had nothing whatever to do with it, except with respect to those colonies which did not enjoy the advantage of episcopal superintendence. The spiritual government of those colonies had been considered to fall upon the Bishop of London; but the province of Canada had its own bishop, and was in no way subject to his jurisdiction, interference, or control. Any communication that might have been made to him by the right rev. prelate of Canada had been made to him merely as a brother prelate, in consequence of personal friendship, and not from any supposed subjection on the part of the Bishop of Quebec to him as his ecclesiastical superior. For any acts of misconduct or abuse, the Bishop of Quebec was answerable to the Primate of all England, the Archbishop of Canterbury. It did so happen that the circumstances of this case had been communicated to him by the right rev. Prelate. With respect to the question of the noble Lord, whether the circumstances of the case as he had stated them were true, he believed that the noble Lord's statement was strictly in accordance with the truth as to the facts of the case, but not as to the inference drawn from them; because nothing was further from the mind of his right rev. Friend than to offer a gratuitous insult to the memory of any gentleman, or to do anything that should be painful to the feelings of the friends of any deceased person. In August, 1840, and some time before the death of this officer, the Bishop of Quebec, having had for a considerable time the subject under consideration, thought it desirable to establish some new regulations with regard to the permission given thenceforth for the erection of tablets within the walls of the church. This was a matter upon which the Bishop had power to act as he pleased. No person had a common law right to erect a monument in the church without the consent of the bishop. In August, 1840, the bishop addressed to the clergy of his diocese a letter, stating that the question having fallen under his notice, whether it would not be proper to establish certain restrictions in his diocese relative to the admission of monuments to be erected within the walls of the church, he had given the subject the best consideration in his power, and had come to the resolution to adopt two regulations — first, that no monument should be put up within the walls of any church in the diocese, if the inscription thereon was not first approved of by the clergyman who had charge of the spot; and secondly, that the privilege of erecting any such monument should be confined to the case of persons who had been communicants of the church. Shortly after these regulations were made, it unfortunately happened that the gallant Officer, whose case had been introduced to their Lordships, died, and his was the first instance of an application being made for permission to erect a tablet after the regulations had been framed. Thus the bishop had his regulations very soon put to the test, and the right rev. Prelate did not, on the application being made to him, see any reason, looking at the circumstances of the case, to make an exception to those rules in favour of the gallant Officer. This was the simple state of the case, and he was not aware that it was necessary for him to add anything to it. He thought it was not competent for their Lordships to judge from what was the practice in this country, as to what it was expedient should be done in a province circumstanced like Canada. But it was well known that, even with regard to this country, the right of prohibition was one frequently exercised. Their Lordships all knew that the dean and chapter of Westminster had thought fit to refuse the erection of monuments in memory of certain persons, who, as far as their literary acquirements were concerned, were fit persons to have that honour paid to their memories. The present case was not, therefore, without precedent. But were it so, that would have nothing to do with the question of the bishop's undoubted right to establish such a regulation. If indeed the bishop had, after the death of this officer, framed these regulations with special reference to his case, then there would have been some ground for censure. He would just advert before sitting down to the circumstance which had led to these regulations. They had been framed in consequence of a tablet having been erected, without the bishop's permission, in memory of a person who was of a notoriously profligate character, and, in consequence of the notice passed upon him by the inscription on that monument, became the subject of painful remark among the members of the congregation. He did not wish to enter more particularly into the case; but if anything should be said to make it necessary, he could adduce the words of the Bishop of Quebec himself in justification of his conduct; but he trusted he had stated enough to show that these regulations were framed by him on good grounds, and that, seeing no peculiar circumstances in the gallant Officer's case, he did not feel himself justified in receding from them.

Lord *Howden* had taken considerable pains to put himself right in respect of the facts of the case, but it often happened, that the greatest efforts to do so failed. He would leave it to their Lordships to decide upon the validity of the explanation given by the right rev. Prelate. He at all events thought their Lordships would agree with him, that these regulations were neither politic, nor perhaps quite in harmony with what was called the mild spirit of the Church of England.

Lord *Brougham:* I listened with very great interest and with some anxiety to the explanation of the right rev. Prelate, and when I consider the ability of that right rev. Prelate, I can have but one feeling and one opinion with respect to the case which he has defended. The defence was, I have no manner of doubt, as powerful as the nature of the case permitted; but that defence, notwithstanding the ability of the right rev. Prelate, appears to me to have been feeble in the extreme. I can only explain that feebleness of defence in such hands from the badness of the case. My Lords, I rejoice that we have not such regulations in this country as the Canadians appear to lie under in their spiritual concerns. I rejoice that St. Paul's and Westminster Abbey are under other and better—more judicious—more charitable — and more liberal superintendence. I will go into no particulars, but of this I am absolutely certain, that if, instead of the most rev. Prelate, (the Archbishop of Canterbury), whose ability, whose admirable judgment, whose constant and charitable forbearance, where forbearance is consistent with his duty—if instead of the right rev. Prelate to whom I am now replying, and who exercises his high functions with all those attributes which I have humbly taken leave to ascribe to his superior, we had had a provincial superintendence of the erection of monuments in St. Paul's or Westminster Abbey, many of those marbles which adorn the inside of those great national structures would not now have been found to grace their walls. And when I advert to the only precedent which the right rev. Prelate has been able to cite on behalf of his absent brother, I must needs add, that that precedent is the very one which ought to have been selected by the Bishop of Quebec in order not to follow it.

The Bishop of *London* had certainly thought, that the tone he had adopted on this occasion, confining himself, as he had done, simply and strictly to a statement of facts, would have precluded the animadversions which had fallen from the noble and learned Lord. He had thought, and he still was of opinion, that a simple statement of the facts was a sufficient defence of the right rev. Prelate, because those facts showed most clearly, that it was from no want of charity that he had been led to make those regulations, but from what he considered at least to be a due regard to the just interests of the church under his superintendance. He did not hold, that where no personal feelings entered into the conduct of men there any want of charity could be imputed. After what the noble and learned Lord had said, it became an act of justice on his part to go a little farther, and to state, that although he might have considerable difficulty, looking to the circumstances of society in this country at the present moment, in framing regulations in contravention of long-established custom, yet he approved of the conduct of the Bishop of Quebec in making the regulations which had given occasion to this discussion, supposing the circumstances of the case to be such as he had stated them to be. And he must go further still, by saying, that if the noble and learned Lord grounded his attack on the right rev. Prelate upon the unquestionable facility with regard to the monuments erected in our churches, he, on the contrary, looked rather with shame at the fact, and pleaded guilty to the accusation, rather than adopt the fact as a ground of attack upon the right rev. Prelate for not having adopted that course. He thought the regulations of the Bishop of Quebec were more consistent with the spirit and regulations of our Church. He never could go into a church without feeling a sense of shame at seeing monumental inscriptions in memory of persons who, neither by their lives nor their deaths, showed that they valued the high privilege of being members of that Church. In this country he was aware it might be difficult to prevent this practice, but if the Bishop of Quebec thought it possible in what might almost be called a nascent church and an infant congregation, to establish those regulations, he would say that the right rev. Prelate had done it in strict accordance with the legal discipline of the Church, and also in strict accordance with the most genuine Christian charity. It was a violation of Christian charity to extend posthumous religious honours in our churches to those who had lived without God in the world, or to those who had not been baptised in the faith, and been efficient and constant communicants of the Church. He should not have ventured to hold this language had the point in question the least reference to the person in whose memory the tablet was required to be elected. It was a general regulation, and, looking entirely at the principles of our Church, it was a wise and charitable regulation; and he again insisted upon it, that it was strictly consistent with the policy of our Church, and the dictates of pure Christian charity. Having said thus much, he felt bound to mention one instance which had more immediately led to these regulations, and which, he believed, would have led him under similar circumstances, to have acted as the Bishop of Quebec had done. The right rev. Prelate here read a statement prepared by the Bishop of Quebec, which set forth the case of an officer having had a monument erected to his memory in a church at Montreal, with an inscription stating that this gentleman "had died as he had lived, a gallant soldier and an honourable man," although it was notorious that he had been killed in a duel, arising out of a supposed intrigue with some lady.

Lord *Brougham:* I hope the right rev. Prelate will forgive me for reminding him, that I made no attack upon him. He rose to defend himself, as I understood him to say, against an attack which I had made upon him. An attack upon the right rev. Prelate! To the utmost of my humble ability, I endeavoured to pronounce a panegyric upon him. I appeal to noble Lords—I appeal to the right rev. Prelate himself, for he heard me—he listened to me—and I venture to say, he does not forget one single word I said—I appeal to the right rev. Prelate himself, whether I did not speak in language diametrically opposite to the very appearance of an attack upon him? To have been told, therefore, that I had made an attack upon him, when, on the contrary, the whole gist of my argument was, that the speech of the right rev. Prelate, with all his talent, having proved insufficient to make out a better case for his absent brother, was to me an absolute demonstration of the badness of that case. However, bad as he first left it, I do not think the right rev. Prelate has mended the case in his reply; but I think he has worsened it, and that most considerably. What is the only instance which he says had given rise to this rule? It is the instance of an officer killed in a duel—in the commission of a great offence; I entirely agree with the right rev. Prelate—a duel arising out of an immorality—[Lord *Denman:* A suspected immorality.] A suspected immorality in his private life; which observation of my noble Friend, the Lord Chief Justice, induces me to step aside, for one moment, to enter my protest (and I do it with all humility towards the right rev. Prelate, especially upon such a subject), against the gloss which he has furnished, upon what he called the charity of the Christian religion. "How," says he, "could there be any want of charity, when there was no private or personal feeling upon the matter?" But I have always understood, that charity is that which thinketh no evil, whether of those we know, or of strangers; and now it turns out, that because a man was "suspected" of an immoral course of life, and afterwards fell in a duel, where, undoubtedly, no question can exist, it turns out that it was deemed fit, not to visit him, but to visit the community, and more particularly, the profession to which he belonged, with this general rule—what? that all persons who die in the commission of an unlawful act, shall be excluded from having marbles erected to their memory, within the walls of the cathedral?—that all persons, whose lives are immoral, shall, after their decease, be deprived of the honour of a monument in the cathedral?—that all persons who are even suspected of immorality in private life, shall be excluded? No such thing; a rule of that sort would have some application to the case, and might be supposed to have been drawn from the particular instance cited in its defence. But it is no such rule—it is a rule, that all persons who are not communicants,—whether their lives have been moral or not—whether their lives have been suspected of immorality or not—whether those suspicions of immorality have been grounded or groundless—whether they have fallen in a duel or not, but that those who have been communicants, be their crimes what they may, which led to their death—be their lives as immoral as they may, which preceded their decease—or if they died by a duel the day before, and up to that day were ever so immoral—may all be buried within our cathedrals, and have monuments erected to their memory notwithstanding; and after, and in spite of this rule, drawn from that one instance, and for the purpose of preventing its repetition.

The Bishop of *London* was not anxious to have the last word, but he wished to observe, that the rule laid down by the Bishop of Quebec, was one which did not impose the invidious task of inquiring into the character of the deceased. He had taken the simple test, which ought to be the test and broad line—that of living within, or living without the pale of the Church. He must say, as a Minister of that Church, that while, not the rites of religion, but the honours of religion, were refused to those who in their lives refused to comply with its most sacred injunctions, there was no want of Christian charity. The rites of Christian burial were not denied, only the posthumous honour of a monument.

The Earl of *Galloway* did not wish to detract from the force of the observations of the right rev. Prelate, by the admixture of any remarks of his own; neither would he make any remark upon the case mentioned by the noble Lord (Lord Howden), but that it might not go forth, that no one rose to support the views of the right rev. Prelate, he begged to say, at the risk of being deemed uncharitable, a bigot, and an enthusiast, that in his very heart, he concurred in every observation, that had fallen from that right rev. Prelate.

Conversation ended.

NEWGATE REGULATIONS. — SYMPATHY WITH CRIMINALS.] The Marquess of *Clanricarde*, in rising to move for a copy of the regulations observed in the gaol of Newgate with regard to criminals after condemnation for capital offences, said that he did not pretend to any particular qualification for bringing this case before their Lordship; at the same time, he did not think it necessary to make any apology, because he was about to bring under their Lordships' notice a case which he considered to have been shameful, disgusting, and profane, and one which, if it were allowed to pass without any notice, might well cast a stain upon the manners and condition of the lower orders of society. He wished the subject had been taken up by some right rev. Prelate, because he conceived it was not only an act of justice to our feelings as civilized persons, but that it involved, in a great degree, the profanation of the house of worship, the reprehension of which would come well from such authority. He held in his hand an extract from the *Times*, of Monday the 23d of May, from which he would read a few passages:—

"Yesterday a great number of respectable persons of both sexes were admitted, by orders from the sheriffs, to the chapel in Newgate, in which the rev. Mr. Carver (the ordinary) read divine service, and preached a sermon adapted to the awful condition of Daniel Good, who has been ordered to be executed this morning. Before half-past nine o'clock the common door of admission to the gaol was blocked up by the multitude, and at ten o'clock all were accommodated in the most satisfactory manner in the different parts of the chapel allotted to visitors. At about that hour the Lady Mayoress and some of her ladyship's friends entered the governor's pew. The body of the chapel was furnished with benches and chairs by the direction of the governor; so that, although we never recollect to have seen the chapel so numerously attended, every individual in it was provided with a seat. Immediately before the service commenced, the general mass of the prisoners confined in Newgate entered, and took their seats within the railings on each side of the building, attended by turnkeys, and then Good was led in by two of the officers of the establishment, and placed in a chair in the midst of the congregation by the governor. His appearance indicated extreme mental suffering. He clasped his hands together sometimes, and sometimes he raised them up and pressed them against his breast in great agony, the tears streaming from his eyes whilst he endeavoured to catch a glimpse of some old acquaintance or friend amongst the surrounding multitude. So strong was the expression of horror in his face and demeanour, that a respectable female, who was prompted by the curiosity which will induce even persons of the weakest nerves to witness the 'condemned sermon' once in their lives, shrieked and fainted. The culprit looked with evident anxiety towards the spot from which the alarm proceeded; but, finding that a stranger was the cause of it, he seemed to retire within the awful circle of his own meditations, and to struggle with feelings beyond the power of any human being to describe. The service was interrupted for some moments by this incident, and the Ordinary did not proceed until the lady who had ventured to try the experiment of abiding the presence of so dreadful an offender was carried away from the scene."

Then came a description of the service and of the conduct of the culprit, which he did not think it necessary to read. The article went on to say,

"During the first part of the service it was considered necessary to give him a glass of cold water, by which he was, or seemed to be, relieved. The Ordinary took his text from the General Epistle of James, chapter 1, verse 15. 'Then when lust hath conceived, it bringeth forth sin; and sin, when it is finished, bringeth forth death.' With a great deal of power he addressed himself, after many general observations upon the consequences of indulging the passion to which it was acknowledged the convict was the slave, to the miserable wretch himself who was so soon to be separated from kindred and acquaintance in this world for ever. He called upon the murderer, convicted as that murderer had been upon the clearest testimony, to make an avowal of his guilt, as the only reparation now in his power to offer for the transgression of the laws of his country and of humanity. Good repeated the shake of the head, and the upward motion of the hands and eyes upon being thus solemnly invited to make a salutary confession, in order, no doubt, to impress upon the congregation that his defence was founded in truth; and when the service was concluded he raised up his hands once more, and said, 'Oh! God bless you all.' He was then conducted back to his room. He did not appear in the prison dress, his wish to attend chapel in his own clothes having been complied with."

He could not refrain from expressing the indignation and disgust with which he had read that statement. He was justified in saying that there could hardly be found in the history of barbarous nations, in the records of violence and bloodshed, or in the sacrifices committed in remote ages, an exhibition of a more degrading and disgusting kind than that which this audience had assembled to witness for the mere sake of gratifying a morbid and depraved appetite. In those remote ages, persons assembled merely to witness the physical sufferings of the individual, but here the man was dressed out and brought into this assembly in order that they might witness not his physical, but his mental sufferings. Yet this was an exhibition which was called a numerous assembly of most respectable persons of both sexes. He begged their Lordships to observe that the criminal was not—as he imagined he would have been—put into a closet or pew apart from the congregation, where he might have indulged in his meditations undisturbed by the gaze of those whom morbid curiosity had drawn to the scene. On the contrary, it appeared that the criminal was purposely dressed for the occasion; he was led into the middle of the congregation, to a place where every person had a good view, and where all were accommodated with seats. This was the sort of Sunday pastime which took place in one of the chapels of this metropolis, and over which a Christian minister was called to preside. He did not blame the clergyman—he had a duty to perform, and he was, perhaps, the only individual present for whom pity could be felt. He did not wish to blame any particular person, because he did not know where the blame rested, not being aware what changes had been made in the regulation of the prisons in reference to this point. He had looked into several reports of the inspectors of prisons, but he had found nothing to guide him in the matter. He thought, however, that some notice ought to be taken of the practice, in order to prevent the recurrence of it. In making this motion, he wished to guard himself against being supposed as having any particular sympathy with the unfortunate criminal, or as pronouncing any opinion on the publicity of execution. Not knowing the prison regulations, of course he spoke liable to correction, when he said that he thought the allowing Good to take off the prison dress, and appear in one of his own, was against the spirit of all such regulations. The prison dress was a mark of degradation, and whether it was at the criminal's desire, or against his wish, that it was exchanged for a private dress, in either case the exchange ought not to have been made. The object of granting some delay previous to execution, was to enable the culprit to make his peace with the offended Deity, and to devote some hours or days to receiving the comforts of religion. But if a man was to be visited and brought out and exposed, as the criminal Good had been, how could his thoughts take the direction which it was the end of religious instruction to produce? From the statement which he had read, it would be seen that during the whole time of the service the attention of the criminal was devoted to observing the audience, and the effect produced on them. This was surely contrary to the spirit of the law. The case was different as to executions. He thought the utmost publicity ought to be given to executions; and even this was to be justified only by the belief that such publicity tended to prevent crime by the awe which it inspired. The sheriff, therefore, was perfectly justified in acting acccording to the law, in making executions public, but the law never allowed any church or chapel to be desecrated by an exhibition of the criminal during divine service. He would not trouble their Lordships further on this matter, because he had brought the subject forward merely for information. If any inconvenience should result from granting the information, he would at once withdraw the motion, but he hoped it would be agreed to in order that their Lordships might mark their sense of what had taken place, so as to prevent the recurrence of the practice on some future occasion. He begged to move for a copy of the regulations observed in the gaol of Newgate, with regard to criminals after condemnation for capital offences.

The Duke of *Richmond* said, that having called the attention of their Lordships to a similar subject four years since, he rose to offer his thanks to the noble Lord for having brought this subject under the consideration of the House. It appeared to him, that the placing of the criminal in the midst of the congregation was a most reprehensible act, and of all means the least calculated to excite the sympathy of those about him; for what man could see an individual criminal, though he might be suffering under all the terrors of a guilty conscience, and not for the moment feel some degree of sympathy for the man, though others might suppose the sympathy was for the criminal. He objected to the practice on another ground. It was wrong to the criminal himself to bring him in, and thus induce him to act a part, to induce him to bring his hypocrisy forward, and to stifle the feelings natural to his situation. It would be far better if he were permitted to remain in a solitary cell, and there to endeavour to make his peace with his Creator. He knew, that his hon. Friend, the Secretary of State for the Home Department, would do his utmost to prevent the recurrence of these scenes, but, at the same time, if, on inspection of the person regulations, it should be found, that the Secretary of State has not the power to furnish this, he feared—unless some change took place in public opinion —that some legislative enactment would be necessary to prevent the recurrence of an exhibition which was wrong to the criminal, and injurious to the public.

Lord *Wharncliffe* entirely concurred in the opinions expressed by the noble Lord opposite, and he felt exceedingly glad that the subject had been brought under the consideration of their Lordships, because he had to state, as far as Government was concerned, that they had no share in the exhibition alluded to. He agreed with what had been said as to the effect which such a display had on the criminal who was the subject of it, and who was made to pander to the morbid passion of those individuals. He thought that from the moment the person was condemned to death, up to the time of his execution, he ought to be left as much as possible in solitude; that he ought to have no communication, except with the ministers of religion; and that he should be at liberty to receive the sacrament; but beyond that, he should be kept by himself, and not exposed to the morbid curiosity of those around him.

The Marquess of *Normanby* merely rose to confirm what had fallen from his noble Friend who had just sat down, as to the Government having no share in this transaction. It was known to every one who had filled the office of Secretary of State, that the government of the gaol of Newgate was exclusively in the corporation of London, as represented by the sheriff. During the time that he had held the office of Secretary of State, no instance exactly similar to the present one occurred; but he was obliged to interfere in reference to another practice which very improperly prevailed at the time—that of making an exhibition of the criminal in the previous stages of his confinement. He was obliged on one or two occasions to send for the sheriff, and represent to him that though he was aware he had no authority to interfere, yet if such practices were continued, he should feel it his duty to call the attention of Parliament to the subject. He was happy to say, that he met with every co-operation from the gentleman who at that time filled the office of sheriff, in checking the practice, as long as his authority existed. He hoped that the present motion would not be without its effect on the civic authorities, and that the practices complained of would not be allowed to recur.

The Marquess of *Lansdowne* could not help joining his voice in this matter. There was one view, in addition to those which had been taken, which he was anxious to impress on the attention of the House. Although it was indispensable, for the sake of example, that executions should be public, still there was no necessity for making public the last few moments of the life of the unhappy individual. These ought to be left to the criminal himself. The notice taken of the criminal when introduced into the crowded chapel could not be a matter of indifference to him; for though to some minds this would be an aggravation of the punishment, yet to others it would prove a source of morbid gratification. He believed that many crimes, particularly in latter years, had been committed, or attempted to be committed, from a morbid appetite for notoriety, created, in a great measure, by criminals being exhibited to those,—he would not say mischievous or wicked, but to those most injudicious persons whose ill-constituted minds could derive a vicious sort of pleasure from such an exhibition. All this tended to create an opinion in the criminal that he was an object of interest; and it was, no doubt, the source, the motive for the committal of some of the most horrid outrages that disgraced humanity in this or in any other country. He trusted something would be done to prevent the recurrence of so disgraceful a practice, and he was glad the noble Lord had brought the question under the consideration of the House, because the present discussion would not, he thought, be without its effect.

Motion agreed to.

SUNDAY TRAVELLING.] Lord *Galloway* said, he was interrupted last night in presenting the petition which he now held in his hand. It was a petition from Edinburgh against railway travelling on Sunday. In the discussion which had taken place on the subject of Sunday travelling on canals, the noble Lord (Lord Wharncliffe) said he should give the subject his consideration with the view of applying some remedy. He thought the subject of railway travelling on the Sunday equally deserving the attention of Government.

Lord *Wharncliffe* said, that the answer which he gave the noble Lord who brought forward the motion relating to canal travelling on the Sunday was, that Government could not undertake to introduce any measure on the subject this Session; but that if the noble Lord brought in a bill, he would give him his best assistance. The noble Lord who presented the present petition was not, perhaps, aware that the committee which sat last year on the subject of canal travelling on the Sunday had reference to the boatmen employed on the canals. If they were to put a stop to one sort of Sunday travelling, they would be obliged to stop Sunday travelling of every kind. He knew there was a strong feeling in Scotland against the practice, and perhaps that feeling was founded on praiseworthy motives, but he could not help thinking that it was carried to excess. Government was not prepared to legislate on the subject, because they were not prepared to say to the people of England that Sunday was a day on which no one should be allowed to travel.

Lord *Galloway* said, that he had given no opinion as to Sunday travelling, but he had felt it to be his duty to present the petition. He was not an advocate for extreme legislation on any subject, more particularly on a subject of this sort, because he did not think it possible to make men religious by act of Parliament.

The Marquess of *Normanby* said, that having moved for the committee last year on the subject of canal travelling on the Sunday, he drew a clear distinction between travelling on canals and on railroads. In moving for the committee, he stated that no part of it would have reference to railroads, and that no report could be expected from it which would in any way interfere with the perfect freedom of railway travelling on Sunday.

Lord *Campbell* concurred in the views taken by the noble Lords opposite. He rejoiced excedingly at the manner in which the Sunday was generally observed in Scotland; but, at the same time, he must say, that he thought the horror expressed in some parts of Scotland against railway travelling on a Sunday was extravagant in the extreme, and had no foundation either in reason or Scripture. He hoped that feeling would subside, and that that country would continue to enjoy the advantages of that rational religion for which it had so long been famed.

Adjourned.

HOUSE OF COMMONS,

Tuesday, May 31, 1842.

MINUTES.] NEW MEMBER. Thomas Hussey, Esq., for Lyme Regis.

BILLS. *Public.*—2°. New South Wales.

Reported.—Witnesses Indemnity.

3°. and passed:—Property Tax.

Private.—1°. Charterhouse Hospital Estate.

2°. Liverpool Poor.

Reported.—Britwell Inclosure; Boston Harbour (No. 2); Bruntisland and Granton Pier, Ferry, and Road; Liverpool Borough Court.

3°. and passed:—Camberlang and Muirkirk Roads; Gravesend Terrace Pier; Tadcaster and Ottley Road.

ATTACK ON HER MAJESTY — ADDRESS.] Messengers from the House of Lords, brought down a request for a conference.

The *Speaker*: I have to acquaint the House, that the Lords desire a conference with this House in the committee room of their Lordships' House, No. 2, on a subject materially affecting the safety of her Majesty's most sacred person, and the happiness of her people.

Sir *R. Peel*: I beg to move that this House do agree to the conference as desired by the Lords.

Motion agreed to:—And the messengers informed that the conference was agreed to.

The following Members of the House were appointed on the motion of Sir R. Peel, to manage the conference. Sir Robert Peel, Lord John Russell, Lord Stanley, Viscount Palmerston, Sir James Graham, Viscount Howick, Mr. Chancellor of the Exchequer, Mr. Baring, Earl of Lincoln, Sir John Hobhouse, Sir Henry Hardinge, Mr. Macaulay, Mr. Williams Wynn, Mr. Ellice, Sir Edward Knatchbull, Mr. Vernon Smith, Sir George Grey, Mr. Attorney-General, Mr. Solicitor-General, Sir Thomas Wilde, the Lord Advocate, Lord Ashley, Lord Seymour, Viscount Mahon, Mr. Fox Maule, Mr. Gladstone, Mr. Labouchere, Lord Granville Somerset, Sir Thomas Acland, Sir Robert Harry Inglis, Sir George Clerk, Mr. Villiers Stuart, Mr. Sheil, Sir Thomas Fremantle, Mr. Charles Wood, Mr. O'Connell, Sir Denham Norreys, Mr. William O'Brien, Colonel Connolly, Mr. Patrick Stewart, Mr. Wilson Patten, Sir George Cockburn, Sir Charles Napier, Sir Matthew Wood, and Mr. Greene.

Conference held, and Sir R. Peel reported,

> "That the managers had met the Lords at a conference, which was managed on the part of the Lords by the Lord President of the council; and that the conference was to acquaint this House, that the Lords, in consequence of the recent most atrocious and treasonable attempt on her Majesty's most sacred person, had taken the same into consideration; and had agreed upon an address to be presented to her Majesty thereupon; to which address the Lords desire the concurrence of this House."

Sir *R. Peel* said, I feel it to be my duty to propose that this House should concur in the address which the other House of Parliament has adopted, and I anticipate but one unanimous feeling respecting the proposal which I have to make. Scarcely two years have elapsed since I had the painful duty of seconding the proposal of a similar nature made by the noble Lord, and it is with mixed feelings of shame and indignation that, after a lapse of two years, I rise now to discharge a similar duty. I should have thought, that the natural feelings and sympathies of human nature would have been protection sufficient against so atrocious a crime. That our young Queen, seeking for innocent recreation from the cares and toils of business, in the presence of her beloved husband, should be a second time exposed in this country to an attempt like this, fills me with feelings of shame and indignation. If the natural feelings of humanity would not have prevented such an attempt, I should have thought that the burst of loyal affections which had been called forth from all classes of her Majesty's subjects by the first attempt, and of indignation and abhorrence against the author of it, would have constituted an additional guarantee to prevent the repetition of such an atrocity. It has not done so. Yesterday evening, a little before six o'clock, as her Majesty was returning home in the company of her beloved husband, having, I believe, taken the precaution that no other female life should be exposed to danger but her own—relying with confidence in the generous loyalty of her people—with a determination not to be confined as a prisoner in her own palace. I say yesterday evening, on her Majesty's return to the palace, a shot from a pistol was discharged at the carriage in which her Majesty was sitting, and I have, at least, the satisfaction of stating that the person by whom that pistol was discharged was immediately arrested, and is now in confinement. There is every reason to believe that this crime had been meditated on the preceding day; at least a person, answering in every respect the description of the appearance of the person apprehended for the offence of yesterday, was observed to point a pistol at the carriage in which her Majesty was seated on her return from church, and was heard to express his regret that he had failed in effecting his object. This person so charged has been committed for the offence of high treason, and is now before the judicial tribunals of the country; I shall, therefore, abstain from any further comments on the offence with which he has been charged, but I am sure I shall be justified in anticipating that the country, from one end to the other, will concur with us in our expression of abhorrence at the crime, and gratitude to Almighty God for the renewed protection of her Majesty from this second attempt on her life, and will offer up an earnest prayer to the same divine Disposer of events, that he will continue to vouchsafe his protection to her, and long preserve a life so justly dear to all her Majesty's subjects. The motion I have to make is, that the House do agree to the Address, (for which see the Lords Report) with the addition of the words, "and the Commons."

Lord *John Russell* said: In rising to second the motion, I am sure that there can be but one feeling as to the motion which the right hon. Gentleman has just made. I am sure that the predominant feeling in this House, and in the country, must be that of gratitude to Almighty God for the preservation of her Majesty's life. In the next place, that there should be a second person found who could meditate and commit a crime so atrocious and so cowardly was most lamentable. The only thing we can now hope is, that this crime has been that of a solitary individual, and that it is not the result of a concerted conspiracy. Of this at least I am sure, that when her Majesty goes abroad among the people for the purpose of taking recreation or exercise, there is not one among her subjects who has less reason to fear an enemy in any single individual of the millions who constitute her subjects. Let us hope, therefore, that this may be the crime of one person, and that the voice of abhorrence and indignation that will arise against him will have the effect of preserving the life it has pleased Almighty God to protect, for many years.

Mr. *W. Lascelles* said: I wish to state a fact that has come within my own knowledge. I have learnt that her Majesty having reason to apprehend that an attempt would again be made on her life, with that noble and generous conduct characteristic of her, would not permit her usual female attendant to accompany her. Although this might have been understood from what has fallen from the right hon. Baronet, yet as this noble and generous act was performed with respect to a person nearly and dearly connected with me, I could not help stating the fact to the House.

Motion agreed to *nemine contradicente*. The Members forming the committee to manage the conference, took up the consent of the Commons to the Lords.

House to present the Address on the following day.

SUDBURY DISFRANCHISEMENT.] Mr. *Williams Wynn* said, that the House would recollect, that when the Sudbury Bill was introduced, the House was informed that some very material evidence as to the practices that had been pursued in that place at the elections was contained in the report of the commissioners on the state of the hand-loom weavers. This report was printed last year, and was in the hands of the Members of the last Parliament, but it was not in the possession of the new Members. He thought, therefore, that that part of the report which related to the subject which he had mentioned should be reprinted. The report itself was very voluminous; it would therefore be necessary, in conformity with the rule of the House, to appoint a committee to select such parts of the evidence as related to the elections in the borough of Sudbury. If the House did not object, he would at once move the appointment of the committee; but if it was objected to he would give notice on the subject. He would suggest that the Sudbury election committee should be re-appointed *pro formâ* for the selection of the evidence. He would also recommend that the same course should be pursued in this case that was followed with respect to similar bills, namely, that copies of the bill should be sent down to the borough. The right hon. Member moved the appointment of the committee.

Motion agreed to.—Committee to be appointed on the following day.

COMMERCIAL RELATIONS WITH FRANCE.] The *Chancellor of the Exchequer* having moved the Order of the Day for the third reading of the Property-tax Bill,

Mr. *Labouchere* said, that before this motion was put, he was anxious to ask a question of the right hon. Baronet at the head of the Government, relative to one of the most important branches of our manufactures. He had seen it stated in the newspapers, and he had some reason to fear that the statement was true, that the French Government intended to raise the duty on the importation of linens and linen yarns. He wished to know, whether the right hon. Gentleman could give any information as to this statement, as it was a matter which would excite considerable interest in the manufacturing districts. If the case was as had been described, he could not help expressing his regret that at a moment when this country was prepared to pursue a more liberal commercial policy as to the produce of other nations, and especially when commercial negotiations had been carried on for so long a period between this country and France, a step of so hostile a character should be taken by the French Government.

Sir *R. Peel* replied, that within the last three or four days, her Majesty's Government had received authentic information on this subject. They had been informed that the minister of France had stated, that the Government had the power by an ordonnance to raise those import duties, and he implied, that such was the intention of the French Government. He could assure the right hon. Gentleman, that the British Government did not allow a post to leave the country without forwarding a communication on the subject to the French Government, and expressing the deep regret that had been felt on learning the course that it was intended to pursue. This despatch stated what material effect such a proceeding must have on the commercial negotiation between this country and France which had proceeded so far. He could not help stating, that there existed a strong feeling in several parts of France, and especially in the South of France, against the policy of such a proceeding. That portion of that country was most anxious for the favourable termination of the commercial negotiation which had been carried on so long. If this step, however, should unhappily be adopted, it would become the duty of the Government to open communications with other countries of Europe which produced wine, to see whether commercial relations on more favourable terms could not be established. He hoped, and from the best means of forming an opinion on the subject, he believed it would be the case—that the wine growers of France would make exertions to induce the French Government to abstain from taking the step alluded to. He could not say more on the subject, but he believed, that the inhabitants of the south of France deeply regretted the course which was proposed to be adopted.

Lord *J. Russell* agreed with the right hon. Baronet as to the propriety of opening communications with other wine-growing countries with a view to commercial relations. He had no doubt, that this step had been taken from some ill-founded jealousy, or from some erroneous view of commercial policy; but he hoped, that in consequence this country would not depart from their large and enlightened principles, which he was so anxious to see carried out.

Sir *R. Peel* could only reply, that the present Government was ready and prepared to maintain the principle on this subject, in which the noble Lord and the late Government went in their commercial negotiations with France.

EAST INDIA COMPANY—FINANCE.] An hon. *Member* asked, whether the right hon. Baronet was then prepared to answer the question put to him last night by the hon. Member for Shrewsbury.

Sir *R. Peel* observed, that it might naturally be expected that he had not had much time that day to devote to the subject, but he would proceed to give an answer to the question. A practice had long existed of the East-India Company making advances to the Government for the purpose of carrying on particular affairs. That practice now continued, and the East India Company had recently made advances, and he believed, that he was right in saying, that the East India Government at the present time had made advances to the amount of either 338,000*l.* or 340,000*l.* What the Government proposed to do was, to make a re-payment of this sum of somewhat less than 400,000*l.* to meet the expenses which the East India Company had incurred on behalf of the general Government of the country. Again, on account of the expenditure of the East India Company, in carrying on the war in Affghanistan, the Government intended to make a further advance to the company of two instalments of 200,000*l.* each, to meet the expenditure of the company in this country. These advances were made and contemplated for some time, and were only a return for the advances so often made by the East India Company to the Government. The whole sum to be paid to the company would be 800,000*l.*, of which nearly 400,000*l.* would be repayments.

Mr. *Hume* wished to know what part of

the expenditure was to be paid by the British Treasury? He understood, that the East-India Company had made an outlay in consequence of the war in the East, which was to be repaid to them.

Sir *R. Peel* replied, that the expenditure for carrying on the war in China was made for this country, and must be repaid to the company. Of course, it was to be understood, that the advance of the company was to be repaid.

DESPATCHES OF SIR A. BURNES.] Mr. *D'Israeli* said, that as the observations which he was about to make involved a personal charge against a right hon. Member of that House, he hoped that he should be listened to. He trusted that the House would recollect that in the third Session of the last Parliament the right hon. Gentleman, in his official capacity as President of the Board of Control, laid before Parliament a number of state papers and despatches. The object of these papers was to explain and vindicate the course taken by the Government relative to that portion of India known by the name of Central Asia. The most important of these despatches were those written by a person accredited by the Indian government to the court of Cabool. It appeared, however, that several despatches from that officer to the Government had been printed in India, but they had been suppressed here. Other despatches had been made public, parts of which had been omitted in the papers laid before Parliament. The despatches which had been printed in India were accompanied by a letter written by the late Sir Alexander Burnes. In that letter the writer states that the conduct of the Government, with respect to these despatches, had been a piece of trickery and fraud. He wished to know from the right hon. Gentleman why he had adopted such a course with respect to the despatches of a British Minister at a foreign court, as to induce that person to say that the proceeding was a piece of trickery and fraud?

Sir *J. Hobhouse*, in reply to the question of the hon. Member with respect to the letters and despatches alluded to, and as to the reason which had induced him to abstain from laying certain of them before Parliament, would observe that the hon. Member went on the assumption that the papers which had been laid on the Table of the House purported to contain the whole of the despatches of Sir. A. Burnes. Quite the contrary. The hon. Gentleman could not have looked at the book without seeing that they only purported to be extracts; but of the number of letters, which he believed was about thirty-six or a few more, not less than thirty were distinctly described to be extracts. It was never intended to lay the despatches *in extenso*, of the above individual, before Parliament. If the hon. Gentleman looked into the matter, he would not find a single statement in these despatches which justified him in using the language which he had now stated to the House as to the omissions in these despatches. If the hon. Gentleman would have the goodness to look at the letters of Sir A. Burnes, written in 1837, which contained official opinions as to the best mode of settling the affairs of Affghanistan, and which referred to the princes on the throne of Cabool and Candahar, and also to the letter of March, 1838, in which he still expressed similar opinions as to those brothers, he would see that there was no wish to conceal, or, as the hon. Member called it, suppress any of these letters which could be safely laid before the House. Omissions, he admitted, there were, and omissions were almost always made in despatches of this nature when laid before Parliament. It was a matter utterly impossible to lay the reports of accredited agents at full length before Parliament, who were sent on delicate missions like that now alluded to. As for any alterations in these despatches, they were only such as were positively called for by a due regard to the public interests. If all despatches were printed as sent to this country, personal offence would often be given in quarters which would lead to the most serious results. Nothing, however, had been omitted which affected the spirit of the despatches. If all despatches of this nature were to be presented to Parliament, but few of a confidential nature, and containing the most important information, would be laid before Parliament. He said this because he knew that confidential agents would be afraid to correspond with the authorities at home, or to give the Government such information as it required. They would not be able to do it, nor be safe in doing it, if there was to be an unreserved communication to Parliament.

As to the private letter to which the hon. Gentleman had alluded, he thought the gentleman who published that letter had very little regard for the memory of the excellent officer who wrote it. It seemed to him an utter violation of public duty, and a contempt for the usages of private life, for a public functionary to correspond with a person in the exercise of an official charge, and then publish the correspondence. He considered that the late Government had exercised a sound discretion in presenting these papers to the House exactly in the way they had been presented; but if the present Government thought there was any further correspondence which ought to be published for the illustration of this question, they had it in their power to publish it. It would be a matter of extreme indifference to him if they were to present to Parliament all the papers that the Board of Control had ever received or sent out. The hon. Gentleman was aware that there was a notice on the paper for the 26th of June of a motion for the production of the whole correspondence of Sir A. Burnes in 1837, as well as of some of the correspondence of the government of India, on which occasion the hon. Gentleman would have a further opportunity of speaking on the subject.

Conversation at an end.

NEWGATE REGULATIONS—SYMPATHY WITH CRIMINALS.] Mr. *V. Smith* wished to put a question to the right hon. Home Secretary of State for the Home Department. It appeared, that on the Sunday before last, on the occasion of the condemned sermon preached before the murderer, Daniel Good, in the chapel of Newgate, a scene had taken place, which, in his opinion, and, he had reason to believe, in that of the public at large, was a highly indecent one. Orders were previously issued by the sheriffs for particular admissions into the chapel to hear the condemned sermon—among others, several ladies of some distinction had seats reserved for them—and the whole thing was conducted with an appearance of theatrical display which was highly indecorous and improper. He, therefore, wished to ask the right hon. Baronet if, as Secretary for the Home Department, he had any authority to control such exhibitions for the future? and, if he had not this authority, to point out to the House in what way he thought that means might be taken for preventing the repetition of a scene utterly revolting to all sense of decency.

Sir *J. Graham* said, that as to any direct authority or control, the Secretary of State had none over the civic authorities, in reference to the proceedings in the chapel of Newgate, but he had always found the utmost readiness on the part of those authorities to attend to any suggestions on the part of the Government, which appeared likely to be attended with desirable results. He quite agreed with what had fallen from the hon. Gentleman, and participated fully in his expression of regret at what had taken place on the occasion referred to. He must say, that, in his opinion, the scene which then occurred was altogether calculated to disturb the last moments of the unhappy man who was so soon to fall a just victim to the offended laws of his country, and was in every way little calculated to serve the ends of religion and order. He was sure, however, that the mention which had been made of the subject, and which he would himself communicate to the authorities in the city, would have the effect of preventing any repetition of this very improper scene.

Subject at an end.

INCOME-TAX.] The Order of the Day for resuming the debate on the third reading of the Property-tax Bill read.

Question again put, that the bill be now read a third time,

Mr. *Hume* wished to state his opinion, having not hitherto had much opportunity of doing so, respecting this measure of the right hon. Baronet's Government. With respect to the distress of the country, it appeared at last that the amended Corn-law was all the alteration that the right hon. Baronet intended to propose, and that the Income-tax was the other measure which he intended to propose to relieve the distress and difficulties of the country. He must say, that he took a very different view of the measures necessary to meet our present difficulties. In the first place, he thought that the right hon. Baronet had not taken into consideration what had been the causes of the present distress; and, next, he thought it was an error to state, as the right hon. Baronet had done, that the distress was of a temporary nature, and that we might expect, as on many former occasions when the manufacturers of the country had been distressed by casual circumstances, that we should find the distress pass away. He could not come to the same conclusion. Years had been rolling on, and he had humbly endeavoured to raise a warning voice against the evils which had at length overtaken the country. Then he thought the commercial policy of the right hon. Baronet was another mistake, and he still maintained, as he had always done, that to open our commerce and give facilities for exchange with other countries was the true policy of this country. With respect to this bill, it was his opinion that taxation was already too high and too large for the community to bear, and that every mode of adding to the burden, which an Income-tax certainly would do, would only increase the difficulties with which the country was assailed. The right hon. Baronet had not carried out the principles which it appeared from the public records of their proceedings—to which he was obliged to refer, as he was not present in the House when the right hon. Baronet's speech was delivered—he had himself laid down in the opening of his speech on bringing in this bill. The right hon. Baronet laid it down as a principle, that the financial affairs of nations differed but little in the treatment they demanded from the affairs of individuals, and that he thought it right, therefore, to deal with them as he would with his own affairs. Now, this he thought, that the right hon. Baronet had not done, but that, on the contrary, he had violated the pledge then given. The right hon. Baronet had said, that any new measure of taxation at this juncture ought to press as little as possible on the labouring population. How had the right hon. Baronet observed this principle? He contended that this bill, taking as it would at least 4,000,000*l.* sterling from the capital of the country, would increase the pressure on that portion of the population. The right hon. Baronet had done nothing to reduce the great expenditure of late years, which he contended had led to the present difficulties of the country. There was another point which it was important that the House should notice. The right hon. Baronet, and all the speakers who had taken part in the debate on the bill, so far as he knew, had gone upon the assumption that the revenue had been falling off for some years back. Nothing of the sort—just the reverse was the case; the revenue had been increasing every year. Then what was the cause of the distress? It arose from the want of employment, and the want of means to pay labour. Did the right hon. Baronet intend, by taking 4,000,000*l.* from the capital of the country, to be wasted in war and useless expences, to afford relief? Judging from past experience, he should say, that the right hon. Baronet, if he expected to give relief by these means, was very likely to be mistaken. But he thought the right hon. Baronet had not gone to work in the right mode. He knew of no other period of financial difficulty in former times in which the House had not proceeded to inquire what was the state of the revenue and what reductions and retrenchments might be made before they passed any measure, and he thought that in this case also the House ought to have appointed a committee for this purpose. In 1828 a finance committee had been appointed, which, though it only sat, he was sorry to say, for one Session, had done enough to show, that much of the present deficiency might have been met without any new taxes. One mode of relief to which he would have had recourse was the putting legacies of real property on the same footing with personal property with respect to the stamp duty, by which he thought that an increase of nearly 2,000,000*l.* would have been made to the revenue. He considered the noble Lord, the Secretary for Foreign Affairs, the noble Lord would excuse him for saying so—to have been the evil genius of the late Administration, and to have led them from war to war, and to waste million after million in unnecessary expence, to entirely violate all the principles on which the Whig Government came into power, to have left them in the mire in which the right hon. Baronet had found them, and to have led to the imposition of this tax. It was no Queen's letter that could give relief to the present prevailing and general distress; it was only complete free-trade in corn and everything else. He thought, after the clear and admirable exposition of the principles on which trade ought to be carried on in this country, which the right hon. Baronet had given, that he was not acting after his own conviction, but on the opinion of other people. Was it to be supposed, that the small and trifling changes in the tariff could have any effect in affording employment for the people, and relieving the existing distress? Yet, notwithstanding the present distress, the right hon. Baronet was about to add 3,000,000*l.* to the amount of taxation. What he complained of was, that the right hon. Baronet did not fairly meet the difficulties of the case. Why had he not taken into consideration the 24,000,000*l.* of our expenditure, and reduced it instead of adding to it? If a sacrifice were to be made, surely it ought not to be made by the suffering classes of the country. The right hon. Baronet might have curtailed those two great causes of expenditure, the army and the navy. He had in his hand a statement, showing the number of men in arms, in the army, the navy, and the artillery, at several different periods. In 1792, the whole force of seamen and marines in this country, amounted only to 16,000 men; and the army and navy together amounted only to 65,000 men. In 1817, it was determined to come as speedily as possible to a peace establishment, and the large force kept up during the war was reduced to 19,000 seamen, and the army to 92,000 men. In 1822, the army amounted to 68,000 men, and the navy to 21,000, and with the artillery amounted altogether to 97,000 men; but this year, the navy amounted to 42,000 men, the army to 95,600, and the artillery to 8,864, making a total of 146,464 men. Was it, therefore, to be wondered at, that the expenditure of the country was greatly increased, when we had a force of 49,500 more men than we had in 1822, when we supposed ourselves to have a large establishment? The right hon. Baronet had asked, "Would you reduce the naval establishment of the country?" He said, "Yes." Owing to the mistaken policy of the late Government, 15,000 men were locked up in Canada, which force had cost the country no less than 5,000,000*l.* sterling. The next foolish policy had been to interfere with the affairs of Syria. What had warranted our interference there? In 1821, there were only 12 ships of war in the Mediterranean, whilst at this moment there were 34. The expense of keeping up this armament amounted to 1,000,000*l.* a-year. This showed how the public finances had been mismanaged, and that they ought to have had an inquiry how far this immense force was necessary. Upwards of 900,000*l.* of this expenditure might have been reduced, and such a proceeding would have been more calculated to secure the friendship and co-operation of France, than keeping up this enormous force. In almost every branch of the expenditure there might have been a reduction. In order to see the expense of this Don Quixotic expedition on the coast of Syria, he would state to the House the force which had been kept there. In 1839, there were 38 ships of war, carrying 1,272 guns, and 3,940 men; and during parts of the year, there had been 12,000 men on the coast. In 1840, there had been 47 ships of war there and 14,767 men; within 1,300 of the whole naval force of Great Britain, at the period before the great French war began. In 1841, there were 41 ships of war there, and 12,700 men; and now there were 50 ships of war there, and upwards of 15,000 men. Between 2,000 and 3,000 souls had been destroyed in this war, and 7,000,000*l.* or 8,000,000*l.* sterling spent over it, and what had been the result? At this moment, the Sultan had requested Mehemet Ali to march again into Syria, and take possession of it. There were other items on which he blamed the conduct of the late Government as extravagant. They had paid no attention whatever to economy. They had paid no attention whatever to useless brevets. They had given promotion to a far too many officers in both services. It was a fact, that there were seven naval officers on half-pay for every one employed, and in spite of the recommendation of the committee of 1833 to reduce the army, no less than 585 military officers received promotion during the year 1837. Many of those officers had seen little or no service; but he need scarcely say that, for service very little influenced promotions in these days. The fact was, that no Government in the world—not even the rulers of nations which were purely military—ever thought of making such vast and preposterously useless promotions as we were in the habit of making—promotions, moreover, made in the face of a distressed nation, unable to bear the additional burdens they entailed. He had now shown, that our extra expenditure was entailed on us by the wars in Syria and China, and by the useless brevet promotions of the late Government. He now came to a more important branch of the subject, and was prepared to show the evils of an increased taxation, and the benefit which sometimes accrued even to the revenue by lessening rather than by augmenting the national burdens. He held in his hand a paper showing the state of the taxation in this country from 1830 down to the present time. In 1830, the national burden was 52,018,000*l.*, in 1842 it was 52,465,000*l.* so that we were subjected even to more taxation now than when the Tories were in office at the commencement of the reign of William 4th. Now, what occurred in 1830? When Lord Grey's Government came into office such was the cry for a reduction of taxation that the Administration was obliged to yield. In the first four years of their being in power, no less than 8,000,000*l.* of taxation was reduced, or rather, 872,000*l.* being re-imposed in other forms, there was an actual reduction of 7,280,000*l.* Now, the effect of this reduction upon the revenue, was not, probably, what many Members would have expected. In 1833, although 7,000,000*l.* of taxation had been taken off, the revenue had only fallen 2,750,000*l.*, as compared with the revenue of 1830. Nor were the taxes thus taken off, unimportant taxes to the community. On the contrary, they were taxes upon articles entering into every day's consumption. In 1831 there was a repeal of the duty upon cotton, and he was sure his hon. Friends around him would bear him out in saying that the effect of that repeal was, to give elasticity to the cotton printing, and to every branch of the cotton manufacture. Then there were taken off duties on candles, soap, tiles (chiefly used, he supposed, for agricultural purposes), starch, sweets, spirits, glass, and a variety of other things—the result being a total reduction of 2,000,000*l.* in the customs duties, 4,000,000*l*, in the excise, and 1,500,000*l.* nearly in the taxes, thus making up the 7,000,000*l.* he had spoken of as reduced. Well, what was the result of this reduction? In 1834 the taxation was 49,000,000*l.*; in 1835 about the same; in 1837 it was 51,300,000*l.*; in 1838, 51,700,000*l.*; in 1839, 53,000,000*l.*; in 1840, 53,000,000*l.*; in 1841, 54,000,000*l.* It was a curious fact that the taxation of the last mentioned year exceeded that of 1834 by no less than 5,000,000*l.* It was profligate conduct of the late Government in plunging the nation into war that caused this considerable increase; and let the House recollect too that these 52,000,000*l.* were at the present time a greater burden on the industry of the country than 70,000,000*l.* would have been in 1833. In that year trade was better, and the legitimate profits of the merchant were considerably larger than they were now; and yet by the very measure which was now under discussion they were about to add 4,000,000*l.* more to the burdens of the people; and those 4,000,000*l.* were to be added at a time when trade was so bad and profits were so greatly reduced throughout the country. He could not anticipate how much more they might be reduced, but he had great fears. If the French government carried out the measures which he understood they were about to take, trade would be more depressed still; indeed, he should be afraid to picture the distress which must ensue in the part of the country which he had the honour to represent. He did, therefore, contend that it was scandalous to attempt making such additions to the taxation. Why did they not resort to another step, and reduce the salaries of public officers and the cost of their establishments? Or why did they not endeavour to revive our drooping commerce by making an efficient alteration in the Corn-law? He was appealing to a Christian Legislature, and he did ask on what ground they could refuse to take off the tax upon the chief article of food when they found it absolutely necessary to send round a begging letter from her Majesty imploring contributions for the relief of their poor? Would it not have been better to have given the people cheap food at once than to have made an appeal through the Church—the Church which might be said to be at enmity with the people? Unfortunately the whole of the clergy were leagued against the people. The tithe system almost of necessity rendered them the enemies of free-trade. Was there a single clergyman who lifted up his voice against the Corn-law? [An hon. *Member*: Mr. Spencer.] Ay, Mr. Spencer was worthy of honour—he was an exception to the general rule—but let them take the majority, and they would find it otherwise. The whole of the legislation of the country was adverse to the interests of the working classes, and it was a mere mockery of justice that the House of Commons should starve an entire people, by restricting trade on the one hand, and imposing a new tax upon the other, at the same time that no remedy was proposed to meet the distress which was acknowledged on all hands. Under such circumstances the House would be greatly in fault if it allowed the present bill to pass. If the right hon. Baronet had attended to his suggestions upwards of 3,000,000*l.* would be saved to the country, and the public business would be as well done as it is at present. Before now he (Mr. Hume) had suggested that a very considerable saving might be effected by adhering to the principle of non-interference. This suggestion had not been attended to, and the expenditure of the present year had increased by upwards of 4,000,000*l.* beyond what it was in 1836. This was in the military and naval expenditure, and he was sure that, from the Chinese war and other causes, it would be found the war expenditure would be 20,000,000*l.* He deemed that there had been an expenditure not required by the late Government. [A cry of "Vote of confidence."] It was true that he had given a vote of confidence to the Whigs, because they were not, in his opinion, so bad as the Tories; but now he thought it would have been wise if they had turned out the Whigs three years ago. If he had known that the right hon. Ba onet would have come forward with the principles he had lately professed, they might depend upon it, that as far as his efforts went, they should not have been directed to keep that right hon. Baronet so long out of office. But in saying this, he could not but express a hope that the right hon. Baronet would carry his principles into effect. He might suggest that one of the surest means of curing the existing evils was an enlarged reform of Parliament. Nothing but a reduction of taxation, a reduction of expenditure, a free-trade in corn, would give relief to the people. He wished not to be understood as objecting to a property-tax, but what he would desire to see would be a real property-tax, and the removal of taxes to the amount of 6,000,000*l*, which now pressed most heavily upon the industry of the country. Why would not the right hon. Baronet grant a committee? Did not the committee on the import duties afford the right hon. Baronet some information which he did not possess before? Why not then have a financial committee fairly composed and inquiries fairly made, with a view to amend the Income-tax, and improve the tariff? Such a committee might be enabled to inquire into the real causes of the existing distress—to lay the case fully before the country, and endeavour to devise a fitting remedy.

Sir *C. Napier* wondered that the hon. Member for Montrose should complain of the increase in the naval expenditure in 1837 and 1838, whilst at that time the whole country was crying out because of Russia having twenty-seven sail of the line in the Baltic, and at another period the French had a sufficient force in the West-Indian ports to seize the whole of the islands. If such a calamity had occurred, the hon. Member for Montrose would have been the first to inveigh against the measures by which it had been caused. By this day's paper he perceived that an addition of eight sail of the line had been made to the French naval force, and for his own part he would rather that the right hon. Baronet should, if necessary, make the proposed property-tax 5 per cent. instead of 3, than that the army or navy should be reduced by a single man. He objected, however, to the unequal manner in which the proposed tax would press upon property and upon income, and it was on that ground only he should oppose it; and he also objected to the tariff, because it kept up the duty upon corn, coffee, and sugar, articles which formed so large a portion of the consumption of the poorer classes.

Colonel *Wyndham* repelled, in the strongest Parliamentary language he could use, the aspersions cast by the hon. Member for Montrose upon the aristocracy and the clergy. He had before now heard the same classes attacked by the right hon. Baronet the Member for Nottingham, the hon. Member for Montrose, and an hon. Baronet who sat now on that (the Ministerial side) of the House. These attacks were made in times of violent agitation. They were in the times of Thistlewood, and who (said the hon. Member, pointing to Members on the Opposition benches) brought him to the scaffold? It was you Gentlemen.

Mr. *Curteis* wished to know who those were whom the hon. and gallant Gentleman included in such a charge? As regarded the hon. Member for Montrose, he always regarded with admiration that hon. Gentleman's strenuous efforts to enforce a system of economy and save the country from unnecessary burdens.

Mr. *F. T. Baring* concurred in the tribute which the hon. Member behind him had paid to the hon. Member for the Montrose burghs, whose voice he was ready to testify had always been raised to advocate economy, even when other hon. Members called out for lavish expenditure. He wished on this occasion, however, to direct the attention of the House to the principle of the Income-tax. Was it, he would ask, a fair and equal mode of levying the people's money? Would the burden of taxation be laid on in proportion to the ability of individuals to bear it? One great objection to the bill was, that it might actually charge with the tax parties who were in the receipt of no income whatever. A man might have an income arising from sources classed in one schedule of the bill while he was losing on another schedule; but he had no power of setting the gain upon one schedule against the loss which might occur on another. This point had often been adverted to, and he thought it open to great objection. Take the case of a merchant who was the holder of stock, at the same time that he carried on some branch of commerce. Suppose him to receive a dividend of 1,000*l*., while he lost several thousands of pounds on his business, he would be charged with the Income-tax on the stock, even though he might remain a loser of 2,000*l*. or 3,000*l*. on the whole transactions of the year. Again, with respect to the operation of the tax on agricultural estates on which the farms were small, under 300*l*. a-year value, they would be relieved from the Income-tax, which would weigh heavily on those on which the farms were large. Another gross injustice was, that terminable annuities were charged at the same rate as those of a permanent nature. He looked with alarm at the different circumstances of the country from what they were when the Income-tax was proposed before. At that time there was no country where capital could be more profitably invested than in this; but now the whole of Europe was open to the capitalist, and the result of a tax upon his profits would be to drive him to other countries. To the mercantile man, too, the investigation under this bill was as strong as it had been under any other. Let them modify the bill as they might, reduce the charge as they pleased, it was that searching investigation which mercantile men felt as the main objection to the measure, and that one from which it was impossible for them to be relieved, although he would admit, that the right hon. Gentleman had endeavoured to effect that object. But with regard to the composition for the tax upon the average income of the last three years, it was always admitted that that was abandoning the principle of the bill; for the man who was looking to an increase of income would, by that composition, be relieved from paying upon the actual income he might make, whilst a person whose business was sinking had either to compound and pay upon the income he was not really in receipt of, or go on paying upon the income he was making from year to year, and submit to that investigation which to him would be most objectionable. And then as to the moral effect this bill would have upon the trading population of this country. Nothing could be more unfortunate than when the revenue laws were of such a nature that a large and respectable body of the people were in the constant habit, without the slightest scruple, of setting them at large; but he regretted to be obliged to fear, looking at the history of all former Income-tax bills, and the still greater opportunities of evasion that the circumstances of the times afforded, that the result of this investigation would be productive of perjury and fraud to a degree which, if it continued long, would materially injure the character of the British merchant and our working classes. And then as to the injustice of the tax from its inequality. To take a person with a casual and uncertain income and charge him the same as a person who derived an equal amount of income from funded property, which he would leave behind as a provision for his family, was an injustice that hardly existed under any other system of taxation. Or let them take the case of a half-pay officer, who, after devoting himself to the service of his country, had but a life income to support his family. Was it just that such a person should be taxed equally with one who without any labour of his own came into the hereditary possession of the same amount of income? Was it fair, too, in the same manner to tax professional men, who for the course of only a short period were reaping the harvest of that which they had sown night and day for many years? There never was a bill which appeared to have combined in it more inequalities in taxation than the present, and he was proud to say, that to the objections which had been made to it no answer whatever had been given. The only attempt at an answer was, not that the injustice did not exist, but that it was an injustice to which numerous persons were liable. He contended that the bill was full of injustice. He made not that an accusation against the right hon. Gentleman or the Government, but he believed it to be in the nature of the bill, a part of the system which it was impossible to get rid of if they had recourse at all to such a measure; and believing this, that when they came to charge income in this manner they created inequalities greater than in the whole of their taxation put together, he should give his cordial opposition to the third reading of the bill.

The *Chancellor of the Exchequer* said, the right hon. Gentleman had not, in his opinion, very felicitously selected this stage of their proceedings as a fit opportunity to take a review of the objections he had before taken to the bill, with the view to induce the House to reject it. In answer to the first objection of the right hon. Gentleman, he would remind him this was not the first measure of an income or property-tax which had been submitted to the adoption of Parliament, for a property-tax had been deemed expedient by the Government, and adopted by the Legislature in 1803, which was followed in 1806 by a similar measure of finance, proposed by a Ministry of very opposite principles, and of very different public men from the principles of the Government of 1803, or the men who composed that Cabinet. The principle, however, of both these bills had been the same; and a similar measure, with some important improvements, was now brought forward by the present Government, in order to repair our financial difficulties, and to make up the deficit of revenue which had been accumulating for several years past, to the great injury of our trade, and embarrassment of our finances. The necessity for imposing this tax under similar circumstances had been admitted by public men of exalted virtue, and great political integrity, including Mr. Pitt and Mr. Fox. Indeed, the noble Lord opposite (Lord J. Russell) had expressed himself convinced of the propriety of the principle which he recognised, and which, he said, he would not suffer to be frittered away in this instance, nor allow the bill to be rendered inoperative by quarrelling with its details. The House had sufficiently displayed its opinion on former occasions as to whether this was a measure called for by the peculiar exigency of the period, and by the necessity there existed to adopt this as a means of providing for the deficit in the revenue. The right hon. Gentleman complained in his speech to-night that the measure in effect is fivefold, and contains so many separate and distinct classes or descriptions of taxation. He had objected to them as so many different laws upon the subject, and as they were not all regulated alike or by the same rule as respected the persons subjected to taxation, the right hon. Gentleman had taken up this as a strong ground of objection, and had therefore charged the promoters of the bill with inconsistency. This necessity for classifying the persons liable to the payment of the tax had been apparent to the original promoters of the first property-tax, and the plan had been adopted in that bill. If this had not been so, he thought no one would have been found to complain more loudly than the right hon. Gentleman, because then all the classes numerated in the five schedules of the bill would have been called upon to account and undergo that stringent investigation of their affairs and circumstances which was now only intended to apply to the class described in schedule D. Even the regulation with respect to the liability of farmers to the extent of half the rent paid for their farms, to which the right hon. Gentleman had objected as forming no proper test of income, was borrowed from the property-tax of 1806. An objection had been taken to the measure, as being a species of armoury to which they ought not to resort except in time of war. If the principle were wrong, why apply it in time of war only, and abandon it in time of peace? The right hon. Gentleman had objected to the principle of taxing the occupiers of land in proportion to the rent; but was not that the principle upon which all taxes upon land were now imposed? In assessing the county-rate, the poor-rate, and all other burdens to which the occupier was subject, was it not the charge made upon the value of the property as tested by the rent paid? That principle had been acted upon in this country for centuries, and was not, as the right hon. Gentleman had assumed, introduced now for the first time; and it had been adopted in the present bill, not merely as affording the best test of value, but because it would relieve the parties from that close investigation, into their affairs which had been so strongly objected to in regard to the former property-tax. The right hon. Gentleman had further objected that this measure of the Government would induce landlords to subdivide their property into small farms, in order to relieve the occupation from this impost. He did not admit, that the measure would produce any such result; neither did he admit, that farming tenants would be anxious to occupy only such farms as would be exempt from the tax, for if they invested their money in any other way, so as to make the whole income more than 150*l.*, they would still be liable to the tax; and on the other hand, looking at the advantage which the landlord derived from dividing his land into large farms, and the objections he would naturally entertain to making frequent changes in the limits of the various holdings on his property, he did not believe, that any such effect would be produced as that which the right hon. Gentleman had anticipated. The right hon. Gentleman had also repeated the often-urged objection to the levying of any tax upon incomes derived from funded property, and especially upon the inequality of charging the same rate of taxation upon the terminable as upon the permanent annuity. He would not detain the House by entering again into those arguments, for the House had already decided that those objections were without any real foundation. He was prepared to rest his defence upon the arguments which had been previously adduced, and with which the House had by its decision declared itself to be satisfied. The objection to taxing the foreigner who had money invested in the British funds had also been fully answered. Those foreigners who were so circumstanced could withdraw their property from those funds at any moment, and at the present time with advantage to themselves; but to those who, confiding in the security of the British funds, preferred to allow their money still to remain invested in them, it was surely of importance that the national credit should be kept up; and seeing that they were free from those other taxes persons residing in this country were subject to, he did not think this 3 per cent. would induce them to withdraw their property from this country to invest it in less certain securities elsewhere. The right hon. Gentleman had argued also, that the bill was likely to produce a prejudicial effect on the moral feelings of the country, and he had told them (and told them truly, he admitted) that it was a serious objection to any tax, that it would induce ignorant people to commit breaches of the law. But he did not admit that any such effect would result, for this law would operate not so much upon the lower and more ignorant classes, as upon those who were comparatively of the higher orders. For by acting, as far as it was possible to do so, upon the recognised principle that the property of the country should bear the burden it exempted those who had no property, and therefore in his opinion was calculated to prevent those evils which the right hon. Gentleman anticipated from it. But talking of moral effects, what would be the moral effects of the substitutes for this property-tax, supposing the property-tax were not imposed? Would not any increase in the excise or customs duties to the amount necessary to meet the deficiency occasion more numerous and more serious breaches of the law than could ever result from the property-tax? The next objection was to the application of the tax to incomes derived from trades and professions; but the right hon. Gentleman did not object to the clergyman's income being taxed, because that income arose from the land, though held only for life. Land was to be taxed in every shape, and all incomes arising out of land were to be taxed; but incomes of ten times the amount, arising from professions and trades, ought, according to the right hon. Gentleman (Mr. Baring) to be free from the impost! The right hon. Gentleman had adverted also to the hardship of taxing the half-pay officer, but the principle of the bill was that all incomes amounting to 150*l.* a-year and upwards, from whatever source derived, should pay the tax; and, although cases of inequality and hardship might arise, still those inequalities would be attended with advantages to the parties which would go far to compensate them. With regard to the investigation which would be required, it was absolutely necessary to prevent fraud, and to protect the honest man, who gave a correct return of his income, that that investigation should be stringent; but in speaking of this part of the measure the right hon. Gentleman had altogether omitted to notice the facilities which were afforded for composition where parties chose to avail themselves of them. On a former evening, a question had been put to him as to the probable charge of levying this tax, and he had been most anxious to lay upon the Table of the House an estimate of the expense before the bill came into operation, but not being able to say how many special commissioners it might be necessary to appoint, it was difficult from that and other similar circumstances to calculate accurately beforehand the probable cost of collection. He would, however, state the result of the best estimate he had been enabled to form. The expense of collecting the Income-tax of 1815 had been 300,000*l.*; the cost of collection of the tax now about to be imposed, he had every reason to think, would not be expected to amount to one-half of that sum. He was not able to form a correct estimate of the amount that would be required to meet the expenses of collectors, clerks, and other persons that must necessarily be employed. The establishment for collecting the old property-tax cost 117,998*l.*; but the House was aware, from the provisions of this bill, that it was intended to give to the commissioners of assessed taxes the collection of the property-tax; and, by the best calculations he could make, he believed that 30,000*l.* added to the cost of the present establishment for collecting the assessed taxes, would cover the additional cost of collecting the property-tax. But, in making that estimate, he had thought it right to ascertain the number of officers at present employed, and to call upon the superannuated officers to furnish their names and ages, in order that those whose ages would permit them might be employed in collecting the property-tax, and the public saved from the consequences of their superannuation. It was by that means he hoped to reduce the actual cost of the establishment for collecting the tax within the limits which he had stated to the House. He thought, therefore, he might confidently assure the House that the cost of collection, establishment, and collateral charges would not amount to one-half the sum which the former property-tax cost. With respect to the two propositions which his hon. Friend the Member for the University of Oxford, for exempting certain classes of individuals from the operation of this tax, nothing would give him (the Chancellor of the Exchequer) greater satisfaction than to acquiesce in a proposition of the kind. He had given the subject the greatest attention, and he found that were he to agree to his right hon. Friend's first propositions, to make 150*l.* per annum the starting point, from which the tax should begin to apply; by which arrangement a person with an income of 200*l.* a year would have to pay the tax upon the last 50*l.* only; no less than 33,500,000*l.* of income would be exempted from the property-tax; and were he to agree to the second proposition, he found that upwards of 27,000,000*l.* of income would be exempted. Therefore, if he were to exempt incomes to this extent the consequence would be, that a higher amount must be paid by others. He, therefore, regretted that he could not consent to the propositions of his hon. Friend. It was not necessary for him to trouble the House further. He could not doubt that the House would adopt the present measure. The opinion of the country had been taken, and he was happy to say, that it was with the Government. The country had not been taken by surprise: it had been, from the first stage to the last, admonished of all the possible objections to which ingenuity could suggest that this measure was liable. Everything that had taken place proved that the country sympathised with the Government on the necessity for this measure—so far as the number of petitions could speak the feeling of the country. He believed that there had been less petitions presented against his measure than against the toll on Waterloo-bridge. He trusted that the House would confirm the opinion of their constituents and the people at large, and that by means of the tax now proposed and carried to its last stage, they should be able to repair the state of their finances and to give that relief to the commercial and manufacturing interests of the country which all concurred in believing to be necessary.

Mr. *Mangles* said, that the right hon. Baronet had alluded to the embarrassed state of the finances of the East-India Company as one of the reasons for the imposition of a Property-tax. The right hon. Baronet merely interjected the statement, and left others to draw their inferences. [Sir *R. Peel:* I merely spoke of the excess of expenditure over income.]

That was the case mostly with countries which were at war. The right hon. Baronet had depreciated the resources of our Indian empire for party purposes, which was a course unworthy of any Statesman. He contended, that the state of the finances of India did not warrant the assertion that they were in a state of embarrassment. In 1805 and 1806, the revenue of India was only about 13,000,000*l.*, whereas in 1841 and 1842, it was above 20,000,000*l.*, being an increase of more than 7,000,000*l.* The Indian debt in 1841 and 1842, amounted to 34,194,000*l.*, not a rupee of which paid more than 5 per cent. interest, while the larger portion of it paid only 4 per cent. During the administration of the Marquess Wellesley, the interest of that debt was 8, 9, and even 12 per cent., and the whole amount was greater than at present. The revenue was not now so deficient as the right hon. Baronet repesented it. The right hon. Baronet was not justified in bringing forward the Income-tax on the ground of the embarrassed state of the finances of India. He opposed the tax as unjust and unnecessary, and as a serious injury, both to the morals and prosperity of the people. It was totally unwarranted either by the circumstances of England or India.

Sir *R. H. Inglis* said, that though his right hon. Friend, the Chancellor of the Exchequer, had done justice to his motives in the course taken with regard to his suggestion to make the operation of the tax commence at 150*l.*, he had not dwelt upon the results that would follow from the adoption of that suggestion. His right hon. Friend had overlooked the point of his suggestion, which related to the effect which the adoption of the suggestion would have upon the feelings of the public, and of those on whom the tax was to be levied. It would have removed one great temptation for violating the dictates of conscience and honour, and concealing or understating the amount of revenue. He did not affirm, that it was unjust to levy 4*l.* 7*s.* 6*d.* on incomes amounting to 150*l.*, but when the income of 149*l.* was exempt, and that of 150*l.* liable to it, there was a temptation to understate it in the case of persons possessing the latter. Persons who possessed 200*l.*, and would willingly pay the tax on the surplus over 150*l.*, might be very unwilling to do so on the whole sum. He did not think that so much larger a sum could be collected under the bill as it stood as was expected, or that the loss which his right hon. Friend feared would have taken place had the alteration been made. They should deal with men as they were, not as they ought to be, and diminish the temptation to palter with conscience and honour. His right hon. Friend had made no allusion to the third suggestion he had thrown out—that of applying a sliding-scale according to the amount of income. He gave his right hon. Friends in the Government credit for being actuated by the best motives towards the country, and as in the present state of the House it was impossible practically to obtain a vote on it, he should not trouble them any further, though he could not help expressing his conviction, that had his proposal been acted on, it would have tended to reconcile the majority of those who would now try to evade or resist the tax.

Mr. *Villiers* said, he had risen after the Chancellor of the Exchequer, in consequence of an observation that he had made. [*Cries of* "Divide."] If the Friends of the right hon. Gentleman were so anxious to divide, he would have done well not to have made the observation; for it was one certainly calculated to provoke reply. The right hon. Gentleman declared, that the country having had time to reflect upon this bill, expressed in consequence the warmest sympathy with the Government. Now, as he had the misfortune, together with many around him, to represent sections of the country where no such sympathy was known, and as it was his ill-fortune to know that they were suffering the severest privations, and extremely dissatisfied with the measure, he would not suffer his silence to be construed into an admission of so extraordinary a statement. They had, as the right hon. Gentleman had stated, been taking time to reflect upon the measure, and they now better understood the purpose for which it was proposed, and the nature of those other proposals which were said to be compensatory for the evil it would inflict, and he believed, that the conclusion to which the people generally had arrived was, that this measure was, financially speaking, wrong, that it was politically most unwise, and atrociously unjust. As a measure of finance, as a means of supplying the deficiency, he had great doubts if it would be successful; he doubted very much whether, when the revenue declined, being collected from indirect taxation, and dependent on the expenditure of the people, you could superadd direct taxes and collect all you intended. You may collect as much as you expect from the direct source, but inasmuch as the indirect taxes fall off, from the inability of the people to consume the articles that are taxed, I question whether, by imposing a fresh tax, you do not add to that inability, and that your whole revenue will be yet deficient. It is difficult to speak with confidence on these subjects, but it is more reasonable to expect this than the contrary. Again he thought it was justly deemed unwise at this moment of general embarrassment and depression to expose the productive classes to all the pain and inconvenience incidental to this tax, and most unjust if it is imposed with the view to save those whose protection has caused the deficiency. And here it was, that he grounded his dissatisfaction with the whole scheme of the right hon. Baronet. This tax was imposed without any inquiry into the cause of the deficiency, without any admission of the real causes of the decline of our finances and our commerce, and consequently no remedy proposed or in prospect, that any man can believe or expect has their revival in view. He said a statesman in his position ought duly to have inquired, and fully to have explained the present anomalous and critical condition of this country. There was a twofold deficiency to account for—not only that which falls short immediately of the expenditure, but that deficiency which if seen in the revenue not increasing, for it must be remembered in this country the greater part of their taxes were in the nature of poll-taxes—taxes upon what the great mass of the population do, or want to, consume; and yet, while the population is increasing, the revenue is declining. He said there was but one way to account for that, which was, that the condition of the people was deteriorating; and he should believe, till it was disproved, that their condition was so declining, owing to the laws which they persisted in maintaining, which interrupted their commerce with the world, and enhanced the cost of their food. Laws which were attended with this twofold cruelty, that they diminished the demand for their labour, and, by enhancing the cost of food, lowered the value of that labour; and that, too, combined with a continual increase of population augmenting the competition for labour—all combining to lower the reward for labour. That was the case; and it was wonderful that such a cause existed, that the necessary consequence should be perceived in the diminished power of the people to consume those articles which they were accustomed to tax for revenue? What, then, he asked, should a wise and prudent statesman have done; but seeing this fully to have admitted it, and applied himself boldly and ably to meet the evil; and how should he have done it? He ought to have seen how he could have extended the trade with those countries which were sure of supplying our wants, with whom mutual interchange would have been mutually beneficial, thus to have secured fresh and instant demand for our labour, while he ought to have studied how he could have improved the condition of the home consumer. By this means he would have alleviated distress, and increased the revenue legitimately and beneficially, and the Government well knew—as every man who has given thought or consideration to our condition at home and relations abroad well knew — that this could have been and would be effected. Where could we extend our trade instantly and usefully. Why, with the United States and the Brazils, in a manner to give instant demand for labour. And how could they put the home consumer in better condition? Why, by instantly reducing the cost, by increasing the quantity and necessaries of life, which would have the immediate effect of setting free a fund for the consumption of manufactures on other products than food; and yet is there a man hardy enough to say that there is a prospect, this year at least, of this being the result from any measure that has been proposed? Yet this is no speculative result that he said might follow; it is matter of experience, on which they might calculate with certainty; it has been so invariably, when food is low instantly is there a large demand for manufactures, when it rises there is an immense sum withdrawn from the consumption of manufactures. He was, he knew, admitting then what hon. Gentlemen opposite repeated so often in all their debates, namely, that the manufacturers depended upon the home trade for their best customers. It was true. They did depend upon them, and they could not suffer without the manufacturers feeling it; that was what they were suffering from then. The sum is immense that the people expend in food in this country, and that cannot rise or fall without being felt in every branch of industry. If hon. Gentlemen would inquire, as it was their duty to do, with patience into these matters, they would see that they were capable of demonstration, and they would learn the extent of the mischief they were doing by raising artificially the cost of food. The right hon. Baronet quoted a pamphlet the other night to support some view he was taking, and as he had deemed it a sufficient authority, he would refer to it also; it was Mr. Greg's pamphlet, in which he had gone into the calculation of what had been withdrawn annually for the last three or four years from manufactures to be consumed in food. And, if he remembered rightly, that gentleman had shown that, between 1835 and any of the years since 1838, the people had been spending nearly 25,000,000*l.* more for bread, and 35,000,000*l.* more for other articles of necessary consumption, simply owing to the enhanced cost of the articles, which is occasioned by restrictive laws. Why, what an enormous sum is this to be withdrawn from a market, and what proportion will all the charity subscriptions bear to it? Can it be wondered at, then, when the trade is gradually declining with old customers abroad, and the trade so seriously impaired at home, that the people should be unable to consume your exciseable articles, and that the revenue should decline? How could it be otherwise? And will any man in his senses say how this further tax is to remedy these evils?—how it is to repair the resources of the country?—or, indeed, permanently increase the revenue? He had a right, then, to complain that nothing was done to meet fairly or fully the alarming state in which the country was; for alarming every man of sense must admit it; and he complained the more, because he believed the Government well knew all these things. It was not as if they denied them; they had made extraordinary admissions this year. The right hon. Baronet the Member for Dorchester distinctly admitted that the working classes were worse off now than they had been. He traced the evil to the cause, and concluded that the time was come when the cost of the necessaries of life must be diminished. The noble Lord at the head of the Board of Trade, in bringing forward the Corn Bill, conjured their Lordships to remember that the people were increasing, but the subsistence of the country did not keep pace with the population, and prayed them to avert in time the frightful evil that would result from it. The Vice-President of the Board of Trade the other night rebuked an advocate of restrictive duties by admitting that, in truth, they ought long since to have been removed, and the right hon. Baronet at the head of the Government, going farther than the rest, declared that the community ought to exchange the fruits of their labour wherever they could at best advantage, and has repeatedly this Session declared the importance of relieving the distress of the working people, and the immense importance of reducing the high cost of living in this country; and yet what is done to accomplish all this? Is there a prospect of any necessary being cheaper, or of trade being better? What is there certain but the privation which this Income-tax will submit all classes of the people to? For no honest man, of any intelligence, can believe that the exemption professed to be in favour of the poor will benefit them, or that they will escape the injury which it will inflict on others. It was only yesterday that a witness in a committee of this House, in describing the condition of the manufacturing districts, said, that bad as the working people were off at present, they expected to be worse when the Income-tax came into operation, for the masters had declared that whatever they lost by the tax they must take out in the wages; that their profit was as low as would allow them to use their capital, and that they must suspend their works if they did not reduce wages, and, as the man said, the Income-tax will be worse for the poor man than the truck system. Was he not right, then, in saying that this tax would be an unmitigated evil to all classes? He did not want much evidence to convince him that whatever diminished the capital of the country when trade was bad, must diminish the fund for the employment of labour, and make that trade worse. Believing, then, as he did, that this tax will aggravate every evil under which they were then suffering, and believing in no immediate benefit likely to arise from any of what are called the "remedial measures" that had been proposed, and feeling sure that instant relief might be given by just and wise legislation, he should have deserted his duty to his constituents if he had not risen then cordially to denounce this bill on its third reading.

Mr. *D'Israeli* said, the hon. Member for Guildford had impugned his statement with respect to the finances of India. The hon. Gentleman's statement, however, was most monstrous. He had stated the amount of the revenue of India, but he had not stated the cost of collecting, which was 15 per cent. The hon. Member for Guildford had stated the amount of the revenue of India at 20,000,000*l.*, while the real revenue, arising from taxation and territorial income, was 15,200,000*l.* The hon. Gentleman had admitted, that the expenditure was 19,000,000*l.*, and as the real revenue was only 15,200,000*l.*, the excess of expenditure over revenue, was nearly 4,000,000*l.* There had been, for a number of years, a surplus revenue in India, amounting, on an average, to about 2,500,000*l.* per annum; for the last three years, on the most moderate calculation, there had been an average annual deficit of 2,500,000*l.* Three years ago, a surplus to the amount of 10,000,000*l.* had accumulated in the Indian treasury, but of that sum, every rupee had now disappeared. An attempt had been made to raise a loan, and the hon. Gentleman had referred to this measure in a tone of triumph. That loan had now been open for nine months: it was opened for a sum of 4,000,000*l.*, and of that sum, 2,700,000*l.* only had been raised, and the loan was already at 3 discount. A statement had been placed in his hands which showed, that the 4 per cent loan of 1832-1833 was at 15 to 16 per cent. discount; and the 4 per cent. loan of 1835 and 1836 was at 19 to 20 per cent. discount. He considered the subject of Indian finance, a most important question, and it was desirable, that its condition should be clearly understood. The right hon. Baronet had stated, that he had authorised the temporary advance of 500,000*l.* to the Indian government; and it was well known, that that government had no money in this country, and that they were unable to obtain a loan in India. The disordered state of Indian finance, was, he conceived, attributable, in a great degree, to the war which existed in that country, which had tended to increase the financial embarrassment.

Mr. *Brotherton* said, it had been asserted, that the labouring classes would not be affected by the Income-tax, but he contended, that its pressure must ultimately fall upon upon these classes. He considered the adoption of this tax a most unjust measure, and that it would operate most oppressively; and if the measures proposed by the late Government had been adopted, there would have been no necessity to have recourse to it. It had been said, that a tax upon the raw material was injurious to trade, but the Income-tax would prove equally injurious. The tax would press with peculiar hardship upon persons whose income was about 160*l.* a-year, and who would have to pay a sum of 5*l.* out of that income.

House divided: — Ayes 255; Noes 149: Majority 106.

List of the AYES.

Acland, T. D.
A'Court, Capt.
Ackers, J.
Acton, Col.
Adare, Visct.
Adderley, C. B.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Arkwright, G.
Ashley, Lord
Bagot, hon. W.
Bailey, J.
Bailey, J. jun.
Baillie, Col.
Baillie, H. J.
Baird, W.
Baldwin, B.
Balfour, J. M.
Bankes, G.
Baring, hon. W. B.
Barneby, J.
Barrington, Visct.
Baskerville, T. B. M.
Beckett, W.
Bell, M.
Beresford, Major
Bernard, Visct.
Blackburne, J. I.
Blakemore, R.
Bodkin, W. H.
Boldero, H. G.
Botfield, B.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Brooke, Sir A. B.
Bruce, Lord E.
Buck, L. W.
Buckley, E.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Cardwell, E.
Carnegie, hon. Capt.
Charteris, hon. F.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christmas, W.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Cockburn, rt. hn. Sir G.
Codrington, C. W.
Collett, W. R.
Colvile, C. R.
Compton, H. C.
Coote, Sir C. H.
Corry, rt. hon. H.
Courtenay, Lord
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.

Dawnay, hn. W. H.
Denison, E. B.
Dickinson, F. H.
D'Israeli, B.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Duffield, T.
Dugdale, W. S.
Duncombe, hon. A.
Duncombe, hon. O.
East, J. B.
Eastnor, Visct.
Eaton, R. J.
Egerton, Lord F.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Farnham, E. B.
Fellowes, E.
Fitzroy, hon. H.
Ffolliott, J.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt.hn.W.E.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Goring, C.
Goulburn. rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Grant, Sir A. C.
Greenall, P.
Greene, T.
Grogan, E.
Halford, H.
Hamilton, J. H.
Hamilton, W. J.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge,rt.hn. Sir H.
Heathcote, Sir W.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Holmes, hn. W.A.'Ct.
Hope, hon. C.
Hope, A.
Hornby, J.
Hughes, W. B.
Hussey, T.
Inglis, Sir R. H.
Jackson, J. D.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Johnstone, H.
Jolliffe, Sir W. G. H.

Jones, Capt.
Kelburne, Visct.
Kemble, Henry
Knatchbull,rt.hn.SirE
Knight, H. G.
Lascelles, hon. W. S.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Legh, G. C.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Litton, E.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. General
Mackenzie, T.
Mackenzie, W. F.
M'Geachy, F. A.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
March, Earl of
Marsham, Visct.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Meynell, Capt.
Miles, W.
Morgan, O.
Morgan, C.
Mundy, E. M.
Muntz, G. F.
Murray, C. R. S.
Neeld, J.
Neville, R.
Newport, Visct.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
O'Brien, A. S.
Ossulston, Lord
Owen, Sir J.
Paget, Lord W.
Pakington, J. S.
Palmer, R.
Patten, J. W.
Peel, rt. hn. Sir R.
Peel, J.
Pemberton, T.
Pigot, Sir R.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Price, R.
Pringle, A.
Pusey, P.
Rae, rt. hon. Sir W.
Rashleigh, W.
Reade, W. M.

Reid, Sir J. R.
Repton, G. W. J.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Rushbrooke, Col.
Russell, J. D. W.
Ryder, hon. G.
Sanderson, R.
Sandon, Visct.
Scott, hon. F.
Seymour, Sir H. B.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Smith, A.
Smyth, Sir H.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, Lord
Stanley, E.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.

Talbot, C. R. M.
Thompson, Mr. Ald.
Thornhill, G.
Tollemache, J.
Tomline, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Trotter, J.
Turnor, C.
Tyrell, Sir J. T.
Verner, Col.
Vesey, hon. T.
Vivian, J. E.
Waddington, H. S.
Walsh, Sir J. B.
Welby, G. E.
Whitmore, T. C.
Wilbraham, hn. R. B.
Wodehouse, E.
Wood, Col.
Wood, Col. T.
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.

TELLERS.

Baring, H.
Fremantle, Sir T.

List of the NOES.

Aglionby, H. A.
Ainsworth, P.
Aldam, W.
Anson, hon. Col.
Bannerman, A.
Barclay, D.
Baring, rt. hn. F. T.
Barnard, E. G.
Bell, J.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Bernal, Capt.
Blackstone, W. S.
Blake, M.
Bodkin, J. J.
Bowring, Dr.
Brocklehurst, J.
Brotherton, J.
Browne, R. D.
Browne, hon. W.
Buller, C.
Buller, E.
Busfeild, W.
Byng, G.
Callaghan, D.
Carew, hon. R. S.
Cavendish, hon. C. C.
Cavendish, hn. G. H.
Chapman, B.
Christie, W. D.
Clay, Sir W.
Clements, Visct.
Clive, E. B.
Cobden, R.

Colebrooke, Sir T. E.
Craig, W. G.
Crawford, W. S.
Curteis, H. B.
Dalrymple, Capt.
Dawson, hon. T. V.
Drax, J. S. W. E.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Dundas, Admiral
Dundas, D.
Ebrington, Visct.
Evans, W.
Ferguson, Col.
Fielden, J.
Fitzroy, Lord C.
Forster, M.
Gill, T.
Gordon, Lord F.
Granger, T. C.
Grey, rt. hn. Sir G.
Guest, Sir J.
Hall, Sir B.
Hastie, A.
Hay, Sir A. L.
Hayter, W. G.
Heathcoat, J.
Heneage, E.
Heron, Sir R.
Hollond, R.
Horsman, E.
Howard, hn. C. W. G.
Howard, hn. J. K.
Howard, Lord
Howick, Visct.

Hume, J.
Humphery, Mr. Ald.
Hutt, W.
James, W.
Johnstone, A.
Labouchere, rt. hn. H.
Langston, J. H.
Layard, Capt.
Leader, J. T.
Leveson, Lord
Macaulay, rt. hn. T. B.
Mangles, R. D.
Marjoribanks, S.
Marsland, H.
Martin, J.
Mitcalfe, H.
Morris, D.
Morison, General
Murphy, F. S.
Murray, A.
Napier, Sir C.
Norreys, Sir D. J.
O'Brien, C.
O'Connell, M.
O'Connell, M. J.
O'Connell, J.
Ord, W.
Paget, Col.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Pendarves, E. W. W.
Philips, G. R.
Philips, M.
Phillpotts, J.
Plumridge, Capt.
Protheroe, E.
Pryse, P.
Redington, T. N.
Rice, E. R.
Roche, E. B.
Rumbold, C. E.
Russell, Lord J.
Russell, Lord E.
Scholefield, J.
Seale, Sir J. H.
Sheil, rt. hon. R. L.
Smith, B.
Smith, rt. hn. R. V.
Somers, J. P.
Stansfield, W. R. C.
Stanton, W. H.
Stewart, P. M.
Stuart, Lord J.
Stuart, W. V.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Thornely, T.
Traill, G.
Troubridge, Sir E. T.
Turner, E.
Villiers, hon. C.
Vivian, J. H.
Vivian, hon. Capt.
Wakley, T.
Wall, C. B.
Watson, W. H.
Wawn, J. T.
Wemyss, Capt.
Williams, W.
Winnington, Sir T. E.
Wood, B.
Wood, C.
Wood, G. W.
Worsley, Lord
Wrightson, W. B.

TELLERS.

Hill, Lord M.
Tufnell, H.

Bill read a third time.

The Chancellor of the Exchequer brought up a clause to exempt literary and scientific institutions, from the operation of the tax.

Mr. *G. W. Wood* said, he feared the words proposed by the right hon. Gentleman would not effect the end desired. He moved to insert the words, "or any part of any building."

The *Chancellor of the Exchequer* opposed the insertion of the words, on the ground that they would open a wide field for fraud.

The House divided on the question, that the proposed words be inserted:—Ayes 96; Noes 199: Majority 103.

List of the AYES.

Aglionby, H. A.
Aldam, W.
Barclay, D.
Berkeley, hon. Capt.
Bernal, R.
Bernal, Capt.
Bowring, Dr.
Brotherton, J.
Browne, hon. W.
Busfeild, W.
Callaghan, D.
Cavendish, hn. C. C.
Cavendish, hn. G. H.
Chapman, B.
Christie, W. D.
Cobden, R.
Colborne, hn. W. N. R.
Colebrooke, Sir T. E.
Craig, W. G.
Crawford, W. S.
Curteis, H. B.
Dalrymple, Capt.
Douglas, Sir H.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Dundas, Admiral
Dundas, D.
Ebrington, Visct.
Evans, W.
Fielden, J.
Forster, M.
Gill, T.
Gordon, Lord F.
Greenaway, C.
Grey, rt. hn. Sir G.
Hastie, A.
Hayter, W. G.
Heneage, E.
Holland, R.
Horsham, E.
Howard, hn. C. W. G.
Howard, hon. J. K.
Howard, P. H.
Hume, J.
Hutt, W.
James, W.
Labouchere, rt. hon. H.
Langston, J. H.
Layard, Capt.
Leveson, Lord
Mangles, R. D.
Marjoribanks, S.
Marsland, H.
Martin, J.
Mitcalfe, H.
Morris, D.
Murray, A.
Napier, Sir C.
O'Brien, C.
O'Connell, M. J.
O'Connell, J.
Paget, Col.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Philips, G. R.
Philips, M.
Plumridge, Capt.
Protheroe, E.
Pryse, P.
Pulsford, R.
Redington, T. N.
Ricardo, J. L.
Russell, Lord J.
Russell, Lord E.
Scholefield, J.
Shiel, rt. hn. R. L.
Smith, J. A.
Smith, rt. hn. R. V.
Stewart, P. M.
Stuart, Lord J.
Stuart, W. V.
Strickland, Sir G.
Strutt, E.
Thornely, T.
Tufnell, H.
Vivian, J. H.
Wakley, T.
Watson, W. H.
Wawn, J. T.
Wilshere, W.
Wood, B.
Worsley, Lord
Wrightson, W. B.

TELLERS.

Hill, Lord M.
Wood, G. W.

List of the NOES.

Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Acton, Col.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Arkwright, G.
Ashley, Lord
Bagot, hon. W.
Bailey, J.
Bailey, J. jun.
Baillie, Col.
Baird, W.
Baldwin, B.
Bankes, G.
Baring, hon. W. B.
Barneby, J.
Barrington, Visct.
Baskerville, T. B. M.
Beckett, W.
Beresford, Capt.
Bernard, Visct.
Blackburne, J. J.
Blakemore, R.
Bodkin, W. H.
Boldero, H. G.
Botfield, B.
Bramston, T. W.
Broadley, H.
Brooke, Sir A. B.
Bruce, Lord E.
Buckley, E.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Carnegie, hon. Capt.
Chelsea, Visct.
Chetwode, Sir J.
Chute, W. L. R.

Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Cochran, A.
Cockburn, rt. hn. Sir G.
Collett, W. R.
Colvile, C. R.
Compton, H. C.
Corry, rt. hon. H.
Courtenay, Lord
Cripps, W.
Darby, G.
Dawnay, hon. W. H.
Denison, E. B.
Dick, Q.
Dickinson, F. H.
Douglas, Sir C. E.
Douglas, J. D. S.
Duffield, T.
Duncombe, hon. A.
Duncombe, hon. O.
East, J. B.
Eastnor, Visct.
Eaton, R. J.
Eliot, Lord
Escott, B.
Farnham, E. B.
Fellowes, E.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Greenall, P.
Greene, T.
Grimsditch, T.
Grogan, E.
Halford, H.
Hamilton, J. H.
Hamilton, W. J.
Hamilton, Lord C.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Heathcote, Sir W.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, F.
Holmes, hon. W. A'Ct.
Hornby, J.
Hughes, W. B.
Hussey, T.
Inglis, Sir R. H.
Jackson, J. D.
Jermyn, Earl
Johnstone, Sir J.
Johnstone, H.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kemble, H.
Knatchbull, right hon. Sir E.
Knight, H. G.
Lascelles, hon. W. S.
Law, hon. C. E.
Lefroy, A.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Litton, E.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. General
Mackenzie, W. F.
M'Geachy, F. A.
Maher, V.
Mainwaring, T.
Manners, Lord C. S.
March, Earl of
Marsham, Visct.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Meynell, Capt.
Morgan, O.
Morgan, C.
Munday, E. M.
Neeld, J.
Neville, R.
Newport, Visct.
Nicholl, rt. hon. J.
Northland, Visct.
O'Brien, A. S.
Owen, Sir J.
Paget, Lord W.
Pakington, J. S.
Peel, rt. hon. Sir R.
Peel, J.
Pemberton, T.
Pigot, Sir R.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Pringle, A.
Rashleigh, W.
Reade, W. M.
Repton, G. W. J.
Richards, R.
Rolleston, Col.
Rose, rt. hn. Sir G.
Round, C. G.
Round, J.
Rushbrooke, Col.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scott, hon. F.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, Lord
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Talbot, C. R. M.
Thompson, Mr. A
Tomline, G.
Trevor, hon. G. R.
Trollope, Sir J.
Trotter, J.
Turnor, C.
Tyrell, Sir J. T.
Vesey, hon. T.
Waddington, H. S.
Welby, G. E.
Whitmore, T. C.
Wilbraham, hn. R. B.
Williams, T. P.
Wood, Col.
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.

TELLERS.

Baring, H.
Fremantle, Sir T.

Other amendments agreed to.

On the question, "that this bill do pass,"

Mr. *T. Duncombe* said, that he had given notice of his intention, when the report on this bill was brought up, to move a clause to the effect, that the payment of the tax this bill imposed, should not be an essential ingredient for the registration of electors, and he had received a promise, that such a clause should be inserted. He did not, however, see it in the bill, as printed, since the report.

The *Chancellor of the Exchequer* replied, that a clause almost in the words the hon. Gentleman had himself suggested was incorporated in the bill, though it did not appear in the printed copy.

Mr. *T. Duncombe* said, he was perfectly satisfied with that assurance on the part of the right hon. Gentleman.

Bill passed.

CAPTAIN MANBY.] Sir *C. Napier* moved, that the petition of Captain Manby, respecting his plan for saving lives from shipwreck, be referred to a select committee.

Sir *R. Peel* was afraid, the attention of the House had not been sufficiently attracted to this petition, probably under the impression, that the debate on the third reading of the Property-tax Bill would have occupied more time. It would have been better, he thought, that this petition should have been referred to the Board of Admiralty, before submitting it to a committee of the House of Commons. A public department would, in his opinion, investigate a subject of this nature better and more satisfactorily than a committee could do. The motion ought not to be acceded to without consideration, because there were various other inventors preferring claims—Mr. Warner among others—who might desire a similar indulgence; if this were permitted, and demands to a great extent might thus be made on the public money. Then the secrecy which was described to be necessary by some of these inventors, perhaps, might run some risk before a committee of the House. He did not wish to establish such a precedent in matters of this nature, and he thought, that at any rate it would be better under all the circumstances to postpone the consideration of the motion until another day, but he was inclined to think, that the still better course would be to submit the matter to the Board of Admiralty in the first instance.

Sir *G. Cockburn* recommended the withdrawal of the petition.

Mr. *Hume* wished to know, whether the matter had already been under the consideration of the Admiralty? He did not recollect any instance of a committee having been appointed until the proper department had considered the matter.

Captain *Pechell* thought, the motion ought not to be postponed unless the right hon. Baronet gave an assurance that the matter should be submitted to the Admiralty.

Sir *R. Peel* said, he wanted time to read the petition, and if it should appear to him, on reading it, that any public advantage would result from an investigation of the plan, he should recommend the Board of Admiralty to try the experiment. But he must say, that if the House of Commons was to sanction the principle that experiments of inventions of this kind should be made at the public expense, he hardly knew how far they might involve themselves in expense. Any one who had ever been in a public situation could testify that almost every day three or four letters came to them by the post from inventors stating that they were too poor to institute the necessary experiments, and asking that they might be undertaken at the public charge, a request involving, in many instances, an expenditure of 300*l.* or 400*l.*

Sir *C. Napier* said, that if the right hon. Baronet would give him an assurance that the plan should be submitted to the proper authorities, he would consent to withdraw the petition.

Sir *R. Peel* said, on looking to the petition, he found, from a paragraph near the commencement, that a part of Captain Manby's plan embraced the improvement of the harbours on the eastern coast by the removal of sand bars, &c. Now, he knew what the improvement of sand bars was, and he really thought that it was necessary that he should go through the petition before they agreed to a motion of this kind. He hoped the hon. and gallant Gentleman would consent to a postponement, that he might see whether the matter was one which he could refer to the Board of Admiralty.

Sir *C. Napier* assented.

Debate adjourned to Thursday.

House adjourned.

HOUSE OF LORDS,

Wednesday, June 1, 1842.

MINUTES.] BILLS. *Private.*—3ª· and passed:—St. Philip's Bridge (Bristol); Faversham Navigation; Cwm Celyn and Blaina Iron Company.

The Peers, headed by the Lord Chancellor, and accompanied by the Commons, proceeded in state to carry up to her Majesty the joint address agreed to the day before.

HOUSE OF COMMONS,

Wednesday, June 1, 1842.

MINUTES.] BILLS. *Public.*—1°· Slave Trade Suppression (Hayti); Slave Trade Abolition (Argentine Confederation); Slave Trade Treaties.

Private.—1°· Liverpool and Manchester Railway.

Reported.—Forth Marine Insurance Company; Kilmington Inclosure.

PETITIONS PRESENTED. By Sir G. Staunton, Mr. Hardy, Mr. Hindley, Lord Alfred Paget, and Colonel Rushbrooke, from Bradford (York), Sudbury, Lichfield, Maidstone, Portsmouth, Ashton-under-Lyne, Oldham, Bristol, Sheffield, and Warwick, against the Introduction of any Clause to compel Public Houses to remain Closed from 12 o'clock on Saturday night until 1 o'clock on Sunday morning.—By Mr. Brotherton, from Salford, against the New Poor-law Amendment Bill.—From Bridport, against any Reduction of the Import Duty on Cordage.—From Ministers of Baptist Churches, for Abolition of Church Rates.—From Glanmine, and Poole Gabbot, against the Fisheries (Ireland) Bill.—From Leeds (East Ward), for a further Limitation of the Hours of Labour of Children in Factories.—From Lichfield, for Inquiry into the Proceedings at the last Election for that City.—From Ministers of Baptist Congregations, for the substitution of an Affirmation in lieu of an Oath.—From the Mayor and Aldermen of Sudbury, against the Sudbury Disfranchisement Bill.—From the Trustees of the Birmingham, Redditch, Pershore, Leeds, and Otley Turnpike Roads, against the Turnpike Roads Bill.—From John Christopher, for Inquiry concerning the quickest Route for conveying the West India and Mexican Mails.—From the Electors of Southampton, Relative to the Late Election for that Borough.—From the Rev. Henry Thomas Grace, against the Tithe Commutation Bill.—From Edward Gill Flight, for Amendment of the Precription Act.

ATTACK ON THE QUEEN—ANSWER TO THE ADDRESS.] The *Speaker:* I have to acquaint the House that her Majesty has been attended this day by both Houses of Parliament with their address, to which her Majesty was graciously pleased to return this most gracious answer:—

"My Lords and Gentlemen;

"I receive with heartfelt gratification this loyal and dutiful Address from my two Houses of Parliament.

"I am thankful to the Almighty, whose merciful care has protected Me and the Prince my beloved Consort.

"I humbly rely on this good Providence of God, who is able to save Me from every danger; and firm in this trust, and sincere in My desire to promote the happiness of My People, I am comforted and supported by the renewed assurance of your attachment to My Person and Government."

PERSONATION OF ELECTORS—SOUTHAMPTON.] Mr. *Fleming* rose to present the petition of which he had given notice, with reference to the personation of electors, by attaching their signatures to a petition presented to the House on a previous occasion. The petition which he now had in charge, did not emanate from the general body of electors, but from those persons who, from their official positions and high station in the town of Southampton, felt it to be their special duty to watch over the morals of the town. It was signed by the mayor, bailiffs, a large majority of the aldermen, a majority of the councillors of the town, and by many gentlemen, merchants, and tradesmen of the highest character. They said that they had seen a petition, purporting to be that of certain electors of the borough of Southampton, and that they could not forbear expressing their surprise at many of the persons who had signed the petition representing themselves to be electors of the borough. The petition went on to state, that the former petition, which purported to be signed by 171 electors, was signed by thirty persons who were not electors. It is also stated, that some of such petitioners, by themselves and agents, offered to compromise the petition presented against the return of the Members.

Petition read at length.

Mr. *Fleming* moved, that it be printed with the votes.

Mr. *Ward* wished to know, whether it was the intention of the hon. Member to found any motion on the question.

Mr. *Fleming* thought, that he had only done his duty in presenting the petition, and having shown the fraud that had been committed, would leave it to the House to say whether they would call upon any of the parties to support these statements. He did not intend to take any further steps upon the subject.

Mr. *Ward* had only asked the question because the hon. Member stated, that it was his intention to found a motion upon the petition.

Sir *J. Easthope* said, that he had received communications from very respectable parties in Southampton, denying the statements and impressions intended to be conveyed by the petition now presented by the hon. Member for South Hants (Mr. Fleming). The petition complained of was signed by Mr. Atherley, the brother of a gentleman who formerly long represented that town, and who was himself a most respectable banker and a magistrate. The next person who had signed this petition was a magistrate, and the third was a most respectable banker of the town, and also a magistrate. He could point out others of equal respectability, so that manifestly there was no reason in the world to impute to any of those petitioners the intention to commit a fraud on the House.

Mr. *Fleming* had received a return from the town clerk, who stated, that he had gone over the register of electors, and he did not find the names of the thirty persons alluded to. He was ready to place this statement on the Table of the House.

Lord *John Russell* observed, that the rule was, not to print a petition with the votes, unless an hon. Member intended to found a motion on it. He doubted, after the statements of the hon. Member, whether it would be right or necessary to have the petition printed.

Sir *Robert Peel* said, the rule had been broken through the other evening, when a petition presented by the hon. Member for Finsbury was ordered to be printed, although contrary to the rules of the House, because it would throw light upon this very case of the Southampton election. The reason was, that the case partook somewhat of a judicial proceeding, and as this person offered to give evidence, and he then stated, that he thought that the rule should be broken through. There was, therefore, a precedent for this motion.

Mr. *Macaulay* thought, that the cases were hardly parallel. The former petition had reference to a motion for a select committee, to inquire into the proceedings at the late election for Southampton. If the hon. Member for South Hampshire undertook to affirm that the present petition was calculated to throw light upon the subject they were about to discuss, and would state that on Thursday, or some other day, he would draw the attention of the House to the subject, then there might be some reason for printing the petition.

Mr. *Mackinnon* said, that the motion for printing the petition was not a substantive motion, but an amendment. How did hon. Members know that it was his intention to postpone moving for the writ until to-morrow?

Mr. *Thomas Duncombe* thought, that the House had acted very properly in deciding that the petition of John Wren should be printed, because it was calculated to throw light upon the discussion on which they were about to enter. If the present petition had been calculated to throw light upon the subject, the hon. Member ought to have presented it before, as he had had it for more than a week in his possession; but it appeared that it would not suit the purposes of the Conservatives of Southampton to have light thrown upon the subject. He did not think that there was the slightest importance to be attached to the petition.

Mr. *Henry Baring* thought that his hon. Friend the Member for Hampshire had acted very discreetly in abstaining from presenting the petition until this evening. He had attained his object, which was, to show that the petition presented by the hon. Baronet was a fraudulent one. He did not say, that none of the persons who had signed the petition were respectable, but certainly vast numbers of them were not what they represented themselves to be. The hon. Member for Hampshire having gained his object, he saw no reason for having the petition printed.

Motion withdrawn.

Mr. *Fleming* had a petition to present of a greater importance than the last. A petition from John Wren had been printed, and the present petition, which was numerously and respectably signed, was from persons who stated, that in their opinion that individual was not to be believed upon his oath. In a very few hours the petition was signed by upwards of 250 electors of the town of Southampton, and if it could have remained longer, it would no doubt have been signed by four times as many. The petitioners stated, that they heard with astonishment, that John Wren had presented a petition with relation to the corruption which he said had taken place with a view of delaying the issue of the writ. They stated, that the said John Wren did not in any degree possess the confidence or esteem of his fellow-townsmen; nor was the estimation in which he was held such as to afford any grounds for confidence being placed in his statement. That opinion was entertained by persons of all political creeds. The petitioners prayed the honourable House not to give credence to statements coming from such a quarter, and that they might not be deprived of their political privileges.

Petition to lie upon the Table.

The hon. *Member* then moved, that the petition be printed and circulated with the votes.

Sir *John Easthope* was sure that he only faithfully expressed the opinions and wishes of a large number of the most respectable inhabitants of Southampton, when he said that it was desirable that everything that the hon. Member had offered to the House should be printed; and that the most searching inquiry should be made into the whole proceedings before the House proceeded to issue the writ. It could not have escaped the observation of the House that the hon. Member for Hampshire had not produced the effect which he was desirous of producing in bringing forward his indictment against the former petitioners. The hon. Member evidently entertained an opinion that he should be able to produce an impression on the House that the petitioners had committed a fraud which would lay them open to severe animadversion. Now, what were the facts of the case? A few of the individuals who had signed the petition had changed their residences, and were not on the present register. Those parties, however, who were complained of for having signed this petition were stated to him to have been on former registers, and expected to be on the next. He had received a letter from a most respectable individual at Southampton, who stated that the inhabitants of that town were anxious that the House should make the most searching inquiries into this matter, which, they stated, would prove, that no fraud whatever had been committed against the House by the petitioners complained of, but that the complaint was made in tone and manner more deserving the character of fraud and contrivance than the petition which was so improperly impugned.

Mr. *H. Hinde* hoped that the hon.

Member would not proceed with the motion for the printing of the petition, as the continuance of that discussion was only calculated to keep alive ill-feeling on the subject. If they agreed to the motion of the hon. Member for Hampshire, they could hardly agree to the issuing of the writ that night. Under these circumstances he hoped the hon. Gentleman would withdraw his motion, in order that they might come at once to the main question.

Mr. *Redington* was anxious that the House should not set aside the statement of a witness on oath for the statement of a petition. All he could say was, that as the unseated Member lost his seat upon the evidence of Mr. Wren, if that evidence were not to be believed, then the unseated Member had been hardly treated.

Mr. *O'Connell* said, that any one who had read the evidence could not be surprised that Wren had refused to give all the evidence in his power. That witness, when under examination, declined to answer questions put to him, on the ground that by answering them he should compromise himself. He now offered to give evidence, and asked for indemnity to enable him to do so. It would strike a person unacquainted with Southampton except by the evidence, as very strange to find it asserted that Wren was disbelieved by the whole town, when it was shown that he was a regular election agent. It was stated that he was the principal objector in the registry courts where the battle of the Constitution was fought, and that he also possessed the confidence of the Conservatives, and fought their battles at the election by distributing money to the voters.

Motion withdrawn.

Mr. *Mackinnon:* Sir, Notwithstanding the threat held out by the hon. Member opposite in his amendment to my motion, I appeal with confidence to the House on the subject, satisfied that when the case is laid before the House, and thoroughly examined, full justice will be done to the constituency of Southampton, and a new writ will be granted. I have no feeling or interested motive whatever, it is to me a matter of perfect indifference whether the writ is granted or not, so far as I am personally concerned. As I wish the case to be thoroughly understood, and to have no concealment whatever, I will read to the House the report of the committee on the late election, which is as follows.

That the said select committee also agreed to report to your honourable House the following acts of bribery:—

"First. That Charles Coombe Callen was bribed with ten pounds, paid to his wife for him;

"Secondly. That Joseph Whitmarsh was promised a bribe of twenty pounds, the whole or some portion of which was afterwards paid;

"Thirdly. That Joseph Redwards was bribed with five pounds;

"Fourthly. That William Andrews was bribed with five pounds; and,

"Fifthly. That Giles Paskins was bribed with three pounds; each of them to vote for Lord Bruce and Mr. Martyn."

"That the evidence given before your committee relative to an extensive system of treating carried on through the means of local associations, the payment of large sums to chairmen and colourmen, many of whom were voters, and the expenditure of a sum of money for the purposes of the election, amounting to nearly five thousand pounds, and therefore far exceeding the ordinary legal charges, is deserving of the serious consideration of the House."

"That the Committee feel they have been prevented from ascertaining the exact mode in which the whole of this money was expended by the loss or destruction of the vouchers and other documents connected with those payments, especially in the case of William Rouse Mabson, who, after being served with the Speaker's warrant, disposed of those in his possession."

From this it appears that five individuals were bribed at the last election, and that a sum of 5,000*l.* was expended in the contest; but what is there in this report to prevent the issuing of a writ? In the year 1837 it appears a larger sum than 5,000*l.* was expended, and yet a writ was issued. Now I would beg leave to call to the mind of hon. Members, that on Thursday last a writ was issued for Ipswich, and that the report of the committee on the Ipswich case was much more unfavourable than the report for Southampton, it was as follows:—

"That this committee are of opinion from the evidence given before them, that extensive bribery prevailed at the last election for the borough of Ipswich, that the issuing of the writ be suspended until the evidence be printed and submitted to the House."

Now, Sir, if in the case of Ipswich a new writ has been ordered, what possible ground or what rational argument can be used for preventing or withholding the issue of a writ for Southampton. Sir, I think I can pretty well guess the line of argument or of opposition that the hon. Member for Anglesey will make to my motion; he will say, that the committee on the Southampton petition, of which he was a member, were unable to sift the evidence sufficiently, and therefore that another committee is required, can anything be more fallacious than such an argument; on looking over the names of the gentlemen of whom that committee was composed, I see the names of men of talent and experience, and of high consideration in this House, of men exactly qualified for the purpose, and why the hon. Member should cast such a slur on the committee, really is beyond my comprehension. If the hon. Gentleman had been in a minority in the divisions of the committee, if he had desired to sift out evidence which was refused him, then I think there might be some colour of plausibility in his desiring another committee, but such was not the case. On looking over the divisions in the committee, I find the Member for Anglesey always in a majority with only one exception, he therefore cordially agreed with all the proceedings of the committee, and after this requires at your hands another committee to sift evidence which was before done by that body of which he was an active member. What possible advantage, then, could arise from the formation of another committee, and from the course of proceeding recommended by the hon. Gentleman in his amendment to my motion; what purpose it could answer I am at a loss to conjecture. After, it would seem, cordially supporting the proceedings of the Southampton committee, the hon. Member turns round and says to them by his amendment, "You have not done your duty; give us another committee that they may endeavour to do better than you have done." Unless, therefore, you have some legal proof, some satisfactory assurance that some evidence can be brought forward which could not be obtained by the last committee, why should you suspend the writ? Look at the anomaly, at the monstrous precedent you are likely to establish if you refuse to issue the writ; you deprive a constituency of fifteen, now almost seventeen hundred, of their elective franchise, of their just constitutional rights, and you act in such a manner because an individual chooses to present a petition to this House. Why if this principle were adopted, any borough or county may be deprived of its elective franchise by some vagabond or dissatisfied person, of whom abundance will be found in every place, ready to pour in petitions to this House to suspend the issue of a writ on every occasion. Would the establishment of such a precedent be in accordance with the constitutional law—with the custom of Parliament? Would not such a precedent be of dangerous tendency; might it not arise that if such were established, a corrupt minority in this House might keep out a majority. The numbers of this House are 658; suppose a minority of 325 were in the House, having ten places for which Members were to be returned, which Members when returned would vote with the remainder of the House against the 325; suppose that writs were to be issued for the ten places alluded to, and ten petitions from various vagabonds in those places were presented and the writs were in consequence withheld, the result would be, that, instead of a majority of 333 against the 325, there would only be 313 against the 325, and consequently the minority would be the powerful body in the House, and carry on the business of the nation in opposition to the real majority of its representatives. Would such a state of things be tolerable, and are you not establishing a precedent that might lead to these results by withholding the writ for Southampton on account of this petition from John Wren. Now this John Wren, of whom I know nothing beyond the fact that he was brought to the Bar of your House by the late committee for prevarication or refusing to answer such questions as were put to him by counsel. It is on the petition of such an individual that you refuse to issue the Southampton writ, and withhold the elective franchise from 1,700 electors. Now, supposing even that you formed another committee, what possible result could take place, what evidence could be adduced that was not given before the last committee? It is said that John Wren can furnish fresh evidence, but what dependence can be placed on a person who betrays the secrets of his own party, with whom he has acted, according to his own statement, for years. Sir, if the Gentlemen opposite would direct their attention to the forming of some legislative enactments to prevent bribery at elections, either by penal statutes or by some other means, they would deserve well of their country and of this House in putting down an evil that we all in common deplore. Having given my sentiments to the House on this subject, and reserving to myself the right of answering any arguments that the hon. Member for Anglesey may adduce in his amendment to my motion, I will at once move that a writ be issued for the election of two burgesses to serve in Parliament for the town and county of the town of Southampton.

Mr. *W. O. Stanley* was anxious to offer himself to the notice of the House, in opposition to the motion of the hon. Member for Lymington, and he was aware, that in doing so, he was taking an extraordinary course. He was aware that it was extraordinary to ask the House to suspend the writ for a place, but he thought that he could show, that the evidence taken before the Southampton committee would satisfy the House, that this was the proper course to take. In addition to this, circumstances had taken place since the election committee had made its report, which, he thought, should induce Members who had already made up their minds on the subject, now to agree to suspend the writ until further inquiry had taken place as to what had occurred at the late election. He had been an attentive observer of what had taken place before the committee, and he was satisfied that they had not obtained the account of all the expenses incurred at the last election for Southampton. Certainly much evidence was adduced to show that there was most extensive treating, and he believed that it was much more extensive than the committee had been able to obtain evidence of. He believed, that if evidence were gone into, it would be shown that there was equally extensive treating on the other side. He would now proceed to state the nature of the evidence taken before the committee. On the evidence taken, the committee made this special report:—

"That the evidence given before the committee relative to an extensive system of treating, carried on through the means of local associations, the payment of large sums to chairmen and colourmen, many of whom were voters, and the expenditure of a sum of money for the purposes of the election, amounting to nearly 5,000*l.*, and, therefore, far exceeding the ordinarly legal charges, is deserving of the serious consideration of the House."

He thought, after this special report, the House should take into its consideration the report so made, and should at once accede to the proposition to make further inquiry. With regard to treating, the committee had proof before it that the sum of 5,000*l.* was expended. And here he must observe,—that as on this part of the subject he should have to comment on the evidence of a Member of that House —he hoped he might say, that he was most anxious to avoid giving offence. It was proved that 4,000*l.* was expended in treating previous to the election. It appeared from the bankers' books that 500*l.* of the sum so expended came from the hon. Member for Hampshire, and the hon. Member admitted it when called before the committee. Being asked from whom he had received that 500*l.*, the hon. Member said—

"I must at once explain to the committee, that finding there was a great deficiency of money to defray the expences, I undertook myself to apply to my friends in the town of Southampton, and the neighbourhood of Southampton, and from them I received subscriptions which I paid into the bank to the credit of the Conservative party; and I consider I could not mention the names of the persons from whom I received the money without a betrayal of their confidence, which would be improper and dishonourable on my part; therefore I must at once throw myself upon the feelings of the committee, whether I am to be placed in the painful position of being compelled to betray that confidence, which, as a Gentleman, I think I ought not to betray."

The hon. Member further said,—

"This subscription took place a considerable period after the election, a period of six weeks. Finding that the legitimate expenses were not paid, and which I consider were only the legal expenses, I said I would do the best in my power to obtain subscriptions to relieve them from the difficulty; I did so from various persons, and I will not, under any circumstances, betray that confidence which they reposed in me."

The House would bear in mind that the hon. Member had refused to answer the question. The House being appealed to, declared that the hon. Member ought to answer it. On a subsequent day he appeared before the committee, and being asked for what object he had collected the subscriptions, he said:—

"The agents' expenses were not paid. I was told, that they had not paid the agents; and I was told also that the bill at the Dolphin was unpaid, which I apprehend must have been a very expensive one, as that inn was engaged, as you have just heard, from a very early period, of those proceedings. I should think it would be at least six weeks before the writ came down. I do not know what was paid. I am sure, if I may judge from what I heard about the charges at the Star, it must have been very considerable indeed; and the small sum that I collected would go but a little way to defray it; but, however, whatever I could do I was very happy to exert myself in doing, for the purpose of assisting in paying it. I ought to have said, the Dolphin being constantly resorted to by the Conservative party during that six weeks, the charge must have been large."

It appeared, that besides the 500*l.*, a further sum of 200*l.* or 300*l.* was collected and paid in by the hon. Member, and he subsequently stated, that he had paid 200*l.* to Mr. Lefevre, the sums in all amounting to 1,000*l.* Now, it appeared in evidence that no demand had been made for the rooms in the Dolphin occupied by the committee, and that only a trifling sum of 13*l.* had been paid. The day before the 31st of August a sum of 200*l.* had been paid to the agents, Messrs. Hunt and Blanchard, and a sum of 80*l.* to the town clerk for the legal expenses of the hustings. But the evidence before the committee of that House afforded no satisfactory explanation of how that large sum of 1,000*l.* could have gone in legal expenses. That point required further investigation, and he thought, if a bill of indemnity were granted to witnesses coming before a select committee, that further evidence on that point would be procured. It appeared that bribery to a considerable extent had been carried on by means of paying messengers, colourmen, porters, and others nominally employed, 3*l.* for their votes. One witness, Mr. Lisle, had received 600*l.*, in the usual way, he could not tell from whom, and paid it away without order or direction from anybody, one-half to porters, messengers and colourmen, and one-half to chairmen and voters for attending the candidates at the day of the declaration. It appeared that Southampton was divided into five wards, in each of which there was a Conservative association. The chairman of one of these associations (Mr. Cheeseman) was examined, and hon. Members would be amused with his evidence. It was proved that Mr. Cheeseman had received about 400*l.*, which appeared to have been spent in a system of treating. Mr. Cheeseman was asked,—

"Give me leave to ask you of what nature? In forming the society.—What were the great expenses incurred in forming the society? Roast beef, plum-pudding, grog, and wine.—Did you find that the expense increased as you got on towards the period of the election? I suppose that the expenses did not diminish? Why, our first expenses were heavy when we had these dinners; that was before the election; that was on the 2nd June I believe the dinner was."

In fact, the greater part of 5,000*l.* had been conveyed away in corrupting the electors of the town of Southampton. With respect to the evidence of Mr. Wren, he was not there to stand up for Wren. Wren was a friend of the hon. Member for South Hants. There was no direct evidence of personal communication between Mr. Wren and the hon. Member; but the hon. Member rode into Southampton every day to see what was going on, and was every day in the committee-room, to which Wren was constantly going to consult and communicate with those with whom the hon. Member was associated. Wren was employed by the Conservative party, and he withheld as much as he could from the election committee. He could hardly be got to answer a question, constantly asserting that the answer might criminate himself. This man, however, some of his evidence having been contradicted and discredited by some of his own party at Southampton, presented a petition in which he said,—

"That if your honourable House will, by indemnity bill, protect your petitioner from legal consequences, he will submit himself to the pleasure of your honourable House, and disclose most material facts within his knowledge, respecting bribery and corruption, practised for a series of elections, at the late elections for Southampton, and especially at the said last election in question. That your petitioner is able and willing (so indemnified), to inform your committee of the names of resident electors in Southampton, partizans and agents of the late sitting Members, who organised and accomplished an extensive system of bribery and treating at the last election for the said borough; and which parties, summoned to the Bar of your honourable House, or before a select committee, must (when indemnified) disclose full particulars of such extensive corruption of the constituency. That your petitioner is in possession of a certain memorandum book, not produced before the select committee, which contains divers entries of sums of money, corruptly given as bribes to several electors, and also the names of several bribers who were electors; and that the said book contains also the signature of one of the returning officers at the said late election, authorising the bribing of a particular elector, and who was bribed accordingly."

When such a statement as that was made to the House, he did not think that it could be overlooked. When, moreover, the committee had declared the last election void, and found the sitting Members guilty of bribery by their agents, he thought the writ ought to be suspended, until further inquiry had taken place. He believed the same system of extensive treating, of which evidence had been given, was carried on, at this moment, by the Conservative associations. He did not think, that electors, corrupted in this manner, or those who, to the number of, at least, 200, had been bribed as colourmen and chairmen, should now be allowed to exercise the franchise which they had so grossly abused. He thought the House ought to take this subject into its serious consideration, with a view to pass such laws as might prevent a recurrence of such corruption, and they ought not to issue a writ for Southampton, until they had taken effectual measures for securing, that a real return would be made to it. He should, therefore, move, as an amendment:—

"That a select committee be appointed to inquire into the extent of the bribery and treating which had prevailed at the last election for Southampton, and that a writ be not issued until some preventive measure had been passed through that House."

Mr. *Ward* seconded the amendment. He said, that the evidence given before the Southampton Election Committee, and the petition recently presented from Mr. Wren, rendered it the bounden duty of the House to prosecute inquiry into this matter to the utmost extent. He had read over every word of that evidence with the greatest attention, and it showed, in the clearest and most decisive manner, that a systematic, extensive, and admirably arranged system of corruption, prevailed in the borough of Southampton. It was arranged in the most effectual manner for corrupting the voters and preventing discovery. In the whole course of the evidence of the leading witnesses, it would be found, that their memory always failed them at the most convenient time, and with respect to the most material facts. No particular authority appeared to be necessary for the most important transactions. No accounts were kept of the amount of checks. The check-book lay on the table of the committee-room, and any respectable person, it appeared, might draw sums of money from the bankers; and no one knew what had become of the check-book. Large checks had been drawn by particular individuals, but when questioned as to the objects, their memory appeared to be a perfect blank. As to the petition of Wren, it contained one most important statement. The petitioner stated, that he had a memorandum book, containing the signature of a returning officer, authorising the bribing of a particular elector. He might be told, that the witness refused to produce this book before the election committee. The witness, indeed, had not been asked for a book, but for a paper, and might have satisfied himself with that quibble. Yet it was a quibble with which the party whom Wren served, found no fault with, so long as he was true to his colours. He said, if this memorandum book existed, they ought to have it. The statement respecting the returning officer, involved one of the gravest constitutional charges that could be adduced against any man. The man who made this statement had been long employed by the party opposite. He had been twenty years an elector of Southampton, and for fourteen years had voted on the same side. It was now attempted to blacken his character, and the hon. Member for South Hants had read a letter from Southampton for that purpose. He had also had a letter, stating that Dawkin, one of the hon. Member's correspondents, had been turned out of the tradesmen's rooms at Southampton, as a notorious liar, never to be admitted again. He stated this to show that if dirty pettifogging stories of individuals were allowed to influence the judgment of the House in this matter, they were as easily produced against one party as the other. The corrupt practices which had been already proved, would be repeated in Southampton the moment a writ was issued. A petition had been presented, signed by 290 electors of Southampton, exclusive of forty names, of which there was some doubt, confirming the conclusion of the election committee. If the House was in earnest in wishing to put a stop to corruption, they would not repeat the great mistake they had made in the Ipswich case. They would not issue this writ until they found to what extent corrupt practices had prevailed in Southampton, and had provided against their repetition.

Mr. *Fleming* said, however little he might be personally interested in the immediate question before the House, it was really quite impossible for him to hear the statements and accusations that had been made without some attempt on his part to disabuse the House of the erroneous impressions which those statements were calculated to produce; and at the very outset he must warn hon. Gentlemen who were without any local knowledge of the subject against those persons who had lent themselves to a foul conspiracy, which had been undertaken by a certain class of parties at Southampton in revenge for a positive rejection of an offer made by them to enter into a compromise for the purpose of screening that bribery and corruption of which they now expressed such a virtuous horror, the condition of the proposed compromise being that the overwhelming majority of Conservative electors of Southampton should consent to the election of one Member for that borough of their (the proposers') political opinions. This it was that had originated the misrepresentations which had imposed upon the hon. Gentleman, and of the charge that 300*l.* had been given to the witness Wren for the perjury he had committed. He had not had the opportunity of reading the votes, having been absent from London; and he had, therefore, not read the petition presented by the hon. Member for the Tower Hamlets; but he understood that his name had been very largely discussed. He begged to say, that it was a matter of indifference to him what was said of him by such a witness as he who had signed the petition, and who had been perfectly described by the learned and talented counsel before the committee, when he said, that he did not know what seat in that House would be secure if the evidence of such a witness as Wren were to be believed. As to the comments of the hon. Member for Anglesea, upon what he had done, he would only say, that he did not feel that he had done anything wrong. If hon. Gentlemen opposite thought proper to believe such statements as those which had been brought forward, they were welcome to do so. If they had the bad taste to do so, he could not help it; but he hoped, that they did not concur in the assertion that had been made, that he would have enough to do to look after his own character—an assertion which the hon. Member for Sheffield, who made it, had not had the courtesy to withdraw. He could only say, with regard to it, that such a statement was false, scandalous, and unfounded.

The *Speaker* hoped the hon. Member would retract an expression which must have fallen from him unintentionally. The hon. Gentleman had said, that a statement made by an hon. Member of that House was false and scandalous. Those were words that could not be permitted in that House.

Mr. *Fleming* was quite ready to withdraw the expressions he had made use of in deference to the opinion of the chair. But, at the same time, he thought it rather hard on him to be told, that he would have enough to do to take care of his character.

Mr. *Mackinnon* begged to remind the hon. Member and the House, that the expression made use of by the hon. Member for Sheffield, was not, that the hon. Member for South Hants would have enough to do to take care of his own character, but that he would have enough to do with respect to his own conduct in reference to the matters stated in the petition.

Mr. *Ward* had really not been aware that so much importance had been attached to what had fallen from him on the occasion in question. Words would often escape in the heat of debate which would not be uttered in cooler blood. The fact was simply, that on the occasion of a very severe censure being passed on certain parties by the hon. Member for South Hants, he observed, looking at the petition, that there were statements in it that would give the hon. Member enough to do to defend his own conduct. That was what he had said. If there was anything in it that was unparliamentary or offensive to the hon. Gentleman, he need hardly say, that he would be one of the first to express his regret.

Mr. *Fleming* would enter no further into the subject of the evidence entered into by the hon. Member for Anglesea. No doubt similar statements were made before the committee, and all he would say was, that he hoped they would not induce the House to agree to the suspension of the writ. With respect to the evidence before the committee, living as he did in the neighbourhood of Southampton, and feeling a sincere interest in the maintenance of the good character of the borough, it was naturally a source of satisfaction to him, that after a most laborious investigation, in which more than forty-one witnesses were examined, only five cases out of thirty or forty, alleged by the learned counsel in his opening speech had been sustained; that out of those five, two were of payments made to electors for services actually performed, the only penalty for which would be, that they would be prevented from voting. With regard to the case of Whitmarsh, who, it was stated, had received 20*l*., which was authorised by the returning officer to be paid, he could only repeat, that he had already declared that gentleman's most positive denial of the assertion, and his readiness to substantiate his denial on oath before that House if necessary. As regarded the other cases reported by the committee, the opinion of the committee rested wholly on the uncorroborated evidence of the witness Wren. With regard to the charge, that 5,000*l*. had been spent on the election, he could state, that the amount actually spent was 3,960*l*. He stated this from the account of the bankers of the money paid into their hands and disbursed by them. If he was rightly informed, two candidates who were nearly connected with the hon. Gentleman opposite, were prepared to contest the election; he would only say, that nothing would please him more than that they should come forward.

Mr. *Macaulay* would be very brief in what he had to say, for a case which lay in a smaller compass he had never seen. The whole argument of the hon. Gentleman who had moved the issuing of this writ might be reduced to this single point,—Because you granted the issuing of the writ for Ipswich on Thursday last, therefore you ought to agree to the issuing of the Southampton writ to-night. That appeared to him to be the sole argument of the hon. Gentleman; if he had used any other it had escaped his notice. Now, he conceived, that the writ for Ipswich was wrongly issued. He regretted the issuing of that writ on a ground which was certainly not one of a party nature, for, looking at that subject as a party man, that defeat must rather be considered a victory—but because he hardly thought the issuing of that writ consistent with the course which the right hon. Baronet generally pursued on questions of this sort, a course which he held to be deserving of high praise, and because he felt convinced, that it was not in the power of either party, by itself, to get rid of this execrable practice—one which threatened not more the dignity and character of that House, than the morality of the people at large. He felt quite convinced, that the concurrence of both the parties in that House was necessary, in order to put a stop to that practice. Nevertheless, he must say, that the present was a much stronger case than that of Ipswich. As far as he understood the right hon. Baronet's argument with regard to Ipswich, it was, that there existed in Ipswich a most unsatisfactory state of things, and that there was a great deal of ground for suspicion; but that it did not appear to be a case affording grounds for disfranchisement, and that there did not appear any reason to think, that if there was an investigation, the case would be made much more clear than it was at present. Now, such an argument could not apply to Southampton, for in this case it was intimated by the committee itself at the end of their report, that they had been prevented from ascertaining many things which they believed would have led to more important conclusions; and following this declaration of the committee comes a person and tenders information, if the House would indemnify him. Thus, this case differed from the Ipswich case in a most important point, and that, too, the very point upon which the right hon. Baronet's support of the Ipswich writ was founded. The circumstance of the evidence being offered by a person on whose character such reflections had been cast was utterly immaterial. Where did they expect that they would obtain information about rogueries of this sort? Whence could the evidence of bribery having been committed be extracted, except from the agents in the practice of that bribery? An old proverb said, "When rogues fall out, honest men get their own," and every criminal court made it a practice to avail itself of the testimony of persons who had been engaged in the crime. Thurtell was hanged upon the evidence of Probert, Burke was hanged upon the evidence of Hare; and it certainly would have been thought most extraordinary if, when Hare and Probert were brought forward to give their evidence, the counsel on the other side had risen and said, in the tone of meaningless taunt which had come on this question from the other side of the House "I wish you joy of your auxiliary." It really did appear as if this petitioner could be of some use to the public on this occasion. If it were true, that the witness had in his hands a book with a signature in it of such importance, then, whatever might be the character of the person producing that book, even if he had been a perjurer twenty times over, that ought not to prevent the House from getting at evidence of this kind; because, notwithstanding all that had been said on the other side upon the character of Wren, it did not appear, that there had been any denial, that there was the signature of the returning officer appended to a particular item of bribery. As to the imputation that had been thrown out by the hon. Gentleman who moved the issuing of the writ, he must say, that a more unfounded proposition he had never heard. The hon. Member said, that they on that (the Opposition) side, were blinded by party in regard to this question. Had they been blinded by party in the case of Nottingham? Had the hon. Gentleman any knowledge of the circumstances that attended the Nottingham case—a case involving a town of much greater size and importance than Southampton? [*A cry of* "No."] He did not know who the hon. Member was who cried "No," but if he meant that Nottingham was a town inferior in wealth and population to Southampton, he very much miscalculated its relative importance. The evidence in regard to the Nottingham case was, that an hon. Member of that House stated in his place, that he was prepared to make out a case of corrupt compromise as regarded Nottingham; upon which, the right hon. Baronet, at the head of her Majesty's Government, afterwards remarked, that the assertion of the hon. and learned Member for Bath, was borne out by the fact, that Sir G. Larpent had accepted the Chiltern Hundreds. This appeared to him to be a ground, that had been far too much insisted on as a reason for the suspension of the writ; for if Sir G. Larpent had been guilty of a single case of bribery by means of his agent, that would have been reason as sufficient for a compromise, as if he had bribed 4,000 electors of Nottingham. Nor was the acceptance of the Chiltern Hundreds, or the compromise, supposing it to be proved, to be taken as evidence of general corruption of a nature to justify the suspension of a writ; it was worth no more than as an evidence of a single act of bribery, which single act of bribery would have afforded as strong a reason for a compromise as a multitude of cases would have done. The only evidence in the case of Nottingham was, that a petition had been presented, and an hon. Member of that House declared his belief that there had been a compromise. In the Southampton case, on the other hand, evidence had been given before the committee, proving bribery in the clearest manner; and there was, furthermore, a witness offering himself for examination, stating, that he was in the possession of evidence which the committee had themselves declared they thought they could elicit, if they could carry their examination further. All this would be precluded if the right hon. Baronet took the course proposed by the hon. Gentleman who had moved the issuing of the writ, and he must say, if the right hon. Gentleman, after having opposed the issuing of the Nottingham writ, where there might appear to be some reason to cast suspicion upon the supporters of the late Government, now, in the face of tenfold evidence compared with that of the Nottingham case, supported the motion for issuing the Southampton writ, the whole country would cry out that all the feeling of aversion expressed on the other side of the House towards bribery and corruption, was a mere pretence—that it was all hypocrisy—and consequences would follow that were beyond all description. He had said this upon the hypothesis that the right hon. Baronet would, on the present occasion, support the motion for the issue of the writ—an hypothesis which he hoped, and indeed believed, to be untrue; because he could not but think that the right hon. Baronet, in spite of his unfortunate vote of last Thursday, did entertain a desire to maintain the credit of that House, of which he was so distinguished a Member, and to preserve the morals of the people from that great taint which all must regard with so much loathing, but which recent events seemed to show had acquired so wide spread and universal an influence. He trusted, the right hon. Baronet would avail himself of the opportunity which this motion afforded.

Sir *R. Peel* was sorry, that the right hon. Gentleman should have argued on an hypothetical case. When he came down to the House, he had determined what course he should pursue with regard to this question. The issuing of a writ involved judicial considerations. Upon such considerations he had, when he came down to the House, resolved to give his vote, and he still adhered to the same opinion. He quite agreed with the right hon. Gentleman that nothing but the cordial co-operation of parties on both sides of the House could afford them a hope of checking, or of extinguishing that practice which was gradually tainting and undermining the character and authority of that House. As the popular branch of the constitution, their power was derived from their connection with the people, and the confidence of the people in their power, and fitness to represent them. If that confidence were shaken, then, of course, the influence and authority of that branch of the Legislature must be weakened. He entirely agreed with the right hon. Gentleman, that only in the cordial co-operation of both parties did there lie a chance of effectually removing the evil so generally complained of. He would himself be prepared zealously to co-operate as far as he could in the accomplishment of such an object with any party whatever, however opposed he might be to them in political views; but, at the same time, when he had to deal with an individual question of a judicial nature, he should strictly apply judicial principles to that question. With regard to the case of Ipswich, all he could say was, that no political feeling whatever influenced his decision—that he had studiously voted with regard to the Ipswich case upon the same principles which would now guide him as regarded the present case, and without attempting to exercise that sort of influence which it was needless to attempt to deny was exercised over a party when the question was one of a political nature. He could also state, that at the time he gave his vote in the Ipswich case, he was ignorant of the relative strength of the conflicting political interests in the borough. On the contrary, he knew that parties opposed to him in opinion had been returned at the last election, so that the presumption, if any, rather was, that persons of similar opinions would be returned at the next. He therefore had given his vote uninfluenced by any considerations of a party nature, and if he had to give it again, he should give it in the same way. As the right hon. Gentleman had observed, he admitted that it was a case of great doubt and much suspicion, but how did the case stand when the question came before the House? Three weeks had passed without any Member of the committee having given an intimation of his intention to propose a further inquiry, and he then found a motion suddenly brought forward—he found it proposed, that the writ should be suspended until a certain bill should have received the sanction of that and the other House of Parliament; and, thinking as he did, that the evidence with regard to Ipswich showed that the representation of that borough was in a most unsatisfactory state, believing that there was strong reason to think, that if Ipswich did not reform itself it would hereafter run the risk of incurring very severe punishment, yet still, aware of the very great importance of the right of constituencies to have the new writ issued at the earliest possible period, unless any good reason was shown to suspend it, he had, uninfluenced, as he had said, by party considerations, given his vote for the issuing of the writ; and with regard to Newcastle or any other case, that might be brought before the House, he should reserve his right to form a judgment upon the individual case, and upon the evidence adduced in connexion with it. Two cases might apparently approach very near each other, and yet opposite decisions might be come to upon them. The same thing must occur in all judicial cases. Each of these cases must be judged upon its own merits, and the course which he meant to pursue was, to determine in each case on those merits, whether there were sufficient grounds for the course which in each might be recommended. But because he might take a different view in the case of one borough from that which he felt bound to adopt with reference to another, he protested against being, therefore, considered not fully sensible of the evils of bribery, or not desirous of interposing to check it. He now came to the Southampton case, the evidence of which he had read over as attentively as he could; and if he were to form his judgment upon the report of the Southampton committee, observing, that there had been an expenditure much too lavish in connexion with a system of treating, which he believed, however, was not peculiar to Southampton, he should be disposed to say, that unless they laid down some rule with respect to treating, they were not likely to meet all the difficulties which cases of the kind presented. In counties, there then existed a practice of treating, which did not partake exactly of the character of bribery, but which, in effect, was almost as pernicious. He knew how fortunes were injured by this practice. It was said, that the law allowed it, and that, therefore, it was no offence; but where thousands and tens of thousands were spent in treating, although the fact did not partake of the legal definition, or even of the immoral character of bribery, it was evident, that the effect was most pernicious. [Mr. *O'Connell:* It is punishable by law.] Yes, if it were corrupt treating. With regard to Southampton, he must say, that upon the report of the evidence, and speaking judicially, he did think, that it was not so strong a case as that of Ipswich, because in the Ipswich case it was stated distinctly, that there had been extensive bribery. In the Southampton case there were these facts:—300 voters had petitioned the House of Commons to suspend the writ; and he certainly should vote for a bill, if proposed, which should enable the House of Commons to institute an inquiry upon the allegation of a sufficient number of electors, which allegation they should undertake to substantiate, that bribery prevailed in the borough, but which in consequence of a corrupt compromise, or for some reason or other, the committee appointed by the House had not the power of investigating. They must have some inquiry independent of the inquiry of the committee of the House. If 300 electors came forward and stated, that bribery prevailed in their borough, and called in consequence for the suspension of the writ, he thought it highly desirable to provide some mode of inquiry by which that allegation could be substantiated or refuted, even if the question as to individual right had gone off before the election committee. Viewing the proceedings before the Southampton committee, and the appeals that had been made to the House, he would take that course which he considered the justice of the case required. He had seen a person at the Bar who, from his conduct at the Bar, appeared to him to be a person entitled to respect; and although he might be totally unable to substantiate the allegations of the petition, yet in the face of the House of Commons he stated facts which did make an impression on his mind, and did raise in it a difficulty about issuing the writ until they had done something with respect to those allegations. In his petition he stated—

> "That, if your honourable House will by indemnity bill protect your petitioner from legal consequences, he will submit himself to the pleasure of your honourable House, and disclose most material facts within his knowledge respecting bribery and corruption practised for a series of elections at the late elections for Southampton, and especially at the said last election in question; that your petitioner is able and willing (so indemnified) to inform your committee of the names of resident electors in Southampton, partisans and agents of the late sitting Members, who organized and accomplished an extensive system of bribery and treating at the last election for the said borough; and which parties summoned to the bar of your honourable House, or before a select committee, must (when indemnified) disclose full particulars of such extensive corruption of the constituency; that your petitioner is in possession of a certain memorandum-book, not produced before the select committee, which contains divers entries of sums of money corruptly given as bribes to several electors, and also the names of several bribers who were electors; and that the said book contains also the signature of one of the returning officers at the said late election, authorizing the bribing of a particular elector, and who was bribed accordingly; that the agents and partisans of the late sitting members deputed to a local sub-committee in Southampton, the money arrangements and organization of the said bribery, and that your petitioner can inform your honourable House of the names and of many of the acts of such bribery managers."

Forming his opinion on judicial considerations, he did not think it would be fit to issue the writ immediately, or until they determined what course they should pursue. He voted for the issuing of the writ in the Ipswich case, and might therefore be charged with inconsistency for the course he was taking in this, but there was a clear distinction between the two cases and he conceived he would not be acting either a judicial or a worthy part were he to do otherwise than he had determined. He had viewed both cases judicially, and, whether right or wrong, consistently or not he had come to different conclusions upon them. It would be most satisfactory to him, if the House would for the present suspend the issuing of the writ. He was afraid that the appointment merely of a select committee, without the necessary powers to obtain evidence would lead to no satisfactory result. If the noble Lord (Lord J. Russell) should bring in a bill likely to meet with the assent of the House, he thought it would be worth consideration whether cases of this kind might not be included in it. At all events he thought it desirable to suspend the issuing of the writ for the present, until the noble Lord stated to the House what were the principles of the bill he meant to introduce, On these grounds he was prepared to vote for the suspension of the writ for a certain period; but he confessed it would be desirable that the House should have time to consider what upon the whole was the course which it was advisable to pursue.

Mr. *T. Duncombe* said, he should be glad to know, if the House agreed to the issuing of the writ without inquiry, what was to become of the petition of John Wren and of the allegations it contained, and in particular those quoted by the right hon. Baronet? It was clear that extensive bribery prevailed in the borough, and equally clear that the fact ought to be inquired into. He thought the right hon. Baronet had exercised a sound discretion in not agreeing to the issuing of the writ, and also his attaching some importance to the petition of John Wren, whom the hon. Gentleman opposite facetiously described as the "veracious John Wren." Now, that petition was presented by him, and he must say, that he not only believed the whole of the allegations it contained; but believed also that the petitioner had it in his power to prove them. He must also be permitted to observe, that in all the annals of political ingratitude he knew none to equal the ingratitude of the Conservative party towards their old Conservative associate, John Wren. He believed that Mr. Wren had been for a considerable length of time not only an agent for the Conservative party at Southampton, and a protector of voters at the registration, but the associate of several of the most respectable individuals in the borough, and also of the hon. Member for Hampshire himself. He believed that this John Wren had been the very life and soul of the Conservative conviviality at Southampton. Whenever the hon. Member for Southampton was to grace the dinner table of an alderman of the borough with his presence, the notification which John Wren received of it was, "Mr. Fleming is coming; you, Wren, must come too." And yet this individual was now told that he was unworthy of credit. What was the reason of all this vituperation and reproach with which the Conservative party now loaded John Wren? Clearly and solely because he would not agree to perjure himself before a committee of the House, and that he was able to prove. The hon. Member for Hampshire stated that Mr. Abrahams, the returning officer, denied ever having signed a memorandum book, as alleged in the petition of John Wren. "Here," said the hon. Member, holding up a small book with a red cover, "here is the record of your crime, and here is his signature authorising the payment of 5*l.*" Was not that a fact that ought to be inquired into? He would let Mr. Wren speak for himself by reading a letter he had that day received from him:—

"*London, May* 31, 1842.

"Sir,—I beg most respectfully to return you my most grateful thanks for the interest you took in my welfare in presenting my petition to the House of Commons, and supporting its prayer; and I beg to enclose you the memorandum-book, for your inspection, used by me at the late election, containing the signature of Mr. Abrahams, one of the returning officers for the borough, and with the signatures of others. I leave it in your hands, to make what use of it you may think proper. I cannot refrain from making a few remarks relative to the opinion formed of me by Mr. Fleming and other hon. Members of the House of Commons. It is an opinion formed of me only within a very short period; for no longer ago than at the death of the late Earl of Elgin, and when one of the representatives, seats for Southampton became vacant—I mean the seat of Lord Bruce in the House of Commons—a candidate was sought for to fill the vacant seat. Mr. Mildmay was the gentleman fixed upon, and in order to obtain the feelings of the Conservative committee of Southampton, meetings were held at the offices of Mr. Blanchard, solicitor, in the borough, to which I had an invitation to attend, and I did attend them. I beg respectfully to state that I was on one occasion invited to attend one of those meetings by Mr. W. J. Lefevre, one of the aldermen for the borough, and on another occasion I was invited to attend a second meeting for the same purpose by Mr. Stebbing, the sheriff of the borough, and at one of those meetings I had the honour of meeting Mr. Fleming. It was at the meeting when it was unanimously agreed to support Mr. Mildmay. I have been a supporter of Mr. Fleming and his hon. Colleague, Mr. F. C. Compton, long before the passing of the Reform Bill, and ever since, and neither of those gentlemen thought it beneath their dignity to ask me for my vote —and I have assisted in fighting the Conservative cause in the borough for years. And why am I to be persecuted by the general body of the Conservatives, and branded as I was by one of the hon. Members of the House of Commons as a vagabond? Because I would not perjure myself before the select committee appointed by the House of Commons to try the merits of the late election. It must be evident, as I shall be able to prove, that I was a companion of the parties concerned, and in the secrets of the late election; or why should a party come to me and say, 'he was directed to offer me a sum of money if I would make

Mr. Martyn's seat secure?' This offer was made the first time the chairman of the select committee cleared the room to decide whether I should answer the questions or not. I again repeat my thankfulness to you, and beg to remain, most respectfully, your devoted servant,

"John Wren."

"To T. Duncombe, Esq., M.P."

Now, that was the head and front of John Wren's offence. When the committee-room was cleared an individual came and offered him a large sum of money, saying, "I know you are a good Conservative, take this and make Martyn's seat secure. Here was a charge of a most serious character; because the resolution agreed to at the beginning of the Session, declared that any one who tampered with a witness, or endeavoured to deter or hinder any person from appearing to give evidence before a select committee, should be deemed guilty of a high crime and misdemeanour. If the committee suggested were appointed, this was a point which should also be investigated. He conceived that Mr. Wren stated quite enough in his petition to justify the House in suspending the writ until further inquiry took place, and he conscientiously believed, if that inquiry were instituted, that the allegations contained in the petition would be proved, and that it would plainly appear that not only at the last election, but at the last four or five elections, and for a considerable length of time, a systematic course of bribery and corruption had prevailed in the borough of Southampton. In conclusion, he had only to recommend those hon. Gentlemen who lived in the neighbourhood of Southampton, and those worthy aldermen, who were the associates of Mr. Wren, to reflect upon this before they presented petitions libelling the character of an individual who was quite as respectable as most of the Conservatives in the borough of Southampton.

Mr. *Hodgson Hinde* said, that after the speech of the right hon. Baronet he regretted to hear one of so different a character, and so tinged with party feeling, as that just delivered by the hon. Member for Finsbury. If he had rightly collected the sense of the House, he believed there were few Members present who, if the question stood upon the evidence taken before the committee, would feel called upon to vote for the suspension of the writ. He, therefore, wished to allude for a moment to that evidence. The memorandum book with the entries alluded to in the petition of John Wren might be genuine or fabricated; and what he wished to point out was, that if genuine the witness had made a statement on oath before the committee of a totally different character. He was asked,

"Did you at that time keep a list of voters whose promises you had secured?—No. I do not think I kept any list at all; it was merely from my own memory. Did you keep a memorandum?—I might have done so. Did you?—I believe I had a small piece of paper in my waistcoat-pocket. Have you got it?—No, I have not. Have you lost it?—I have not seen it since the day of election. Do you know where it is?—I do not."

The House would here observe two statements, both of which could not be correct; and he therefore hoped they would turn their attention to this part of the evidence before the question came again under consideration.

Mr. *Williams Wynn* had heard with great satisfaction the recommendation of his right hon. Friend, as it entirely agreed with the opinion he had formed upon reading the evidence which was taken before the committee. How far the character of Mr. Wren was affected would remain to be seen; but it was perfectly possible that his character might be successfully attacked, and yet that the document he produced was substantial. He thought also that it was highly probable —a circumstance not before adverted to— that the description given in the evidence of the state of Southampton merited an inquiry as to whether similar practices might not have been resorted to by the other party. It was not now, however, his duty to discuss what would be the probable result of the inquiry, how far Wren would be able to substantiate the allegations he had made in his petition, but he felt satisfied that an opportunity should be given of following the investigation. He would strongly press upon the movers both of the original motion and of the amendment, the propriety of withdrawing their motions, and allowing the issue of the writ to be suspended for a fortnight, at the end of which period, if the inquiry had not terminated, or if the House was not satisfied as to the steps which ought to be taken, the writ might be again suspended. This was the course taken under the advice of the then Speaker, in the case of a writ for the borough of Aylesbury, and he could not but think that the precedent set on that occasion might not be inconveniently followed now. Another motion for the issuing of a writ—he alluded to the case of Newcastle-under-Lyme—stood upon the paper of the House for that evening. It would, he thought, be desirable that the two motions should stand over together, and he would, therefore, suggest to the hon. Member for North Staffordshire that his motion should stand over until the same day.

Sir *R. Peel* did not know whether he had made himself clearly understood in the reference he had made to the amendment of the hon. Member for Anglesea. He had not wished to give any opinion against such a course being taken. He felt that it might be advisable hereafter to resort to such an expedient as that he suggested—indeed, they might have no other course open to them, and it might be necessary to take, if not exactly that course, some steps of the sort. But at the same time he felt it would be as well that they should hear what was the measure intended to be introduced by the noble Lord, and that they should have an opportunity of seeing whether he proposed to constitute any tribunal by whom complaints of this sort might be heard. As he before intimated, he would not prejudice the proposition—indeed, he desired to give no opinion upon it; but at the same time he thought it convenient, and he could wish that it might be postponed. At the end of a fortnight, if nothing satisfactory occurred, they would have the power of renewing the suspension, or it would then be competent to bring the motion again before the House.

Mr. *W. O. Stanley* was perfectly prepared to follow the course suggested. He felt well assured that the right hon. Baronet would lend every facility to pass such measures as might be necessary to check the system now too extensively in operation.

Mr. *Macknimnon* really must ask what was expected from the motion of the hon. Member for Anglesea? It appeared to him that the motion would be useless at any time, and that even if they got their committee, the result of its investigations would only be to show that a little more bribery existed in Southampton than was previously known to the public. He thought Gentlemen opposite might do something better than devote their abilities to cases of this sort. It would be much more useful to the community if they would lay their heads together and assist the noble Lord the Member for London in preparing some general measure to meet such cases. With regard to the facts adduced on the other side in the course of this debate, he could not but refer to the letter from Mr. Wren, which had been read by the hon. Member for Finsbury. That letter certainly showed that Wren had betrayed the secrets of his party, and he for one could entertain no respect for an individual who could so act. With respect to the proposition of the right hon. Baronet, he was desirous of following his recommendation, and would, therefore, with the permission of the House, withdraw his motion, and give notice of his intention to renew it that day fortnight.

Mr. *Redington* having been chairman of the Southampton Election Committee, wished to remark that the report of the committee was chiefly drawn up with a view to call the attention of the House to the subject. The opinion of the committee was, that the laws relating to treating had proved ineffectual; that treating taking place before the test of the writ was as corrupt a proceeding as treating after the writ had been issued, and that the law should be altered with regard to that particular. He concurred with the right hon. Baronet opposite in thinking that it was not on light grounds that they ought to suspend a writ. Immediately after the close of the Southampton Election Committee's proceedings he had expressed an opinion that the evidence taken before them was not sufficiently conclusive to make out a case for the suspension of the writ, and he had privately given expression to the same opinion when the matter came on last Monday evening. But the facts asserted could not be passed over without notice. The present was a stronger case even than that of Nottingham, for it was not a mere case of bribery, not a mere case of compromise between candidates, which might not have been any great ground for suspending a writ, but here they absolutely had the evidence of an individual offered to them, that individual not being an indifferent party, but a man who was prepared to detail in evidence, if called before the committee, and indemnified, all the circumstances of the bribery at the election. For these reasons he should have voted for the suspension if the matter had come to a division.

Mr. *Godson* wished particularly to call the attention of the House to some portions of the evidence of this man, John Wren. He was asked (question 2,728)—

> "Will you swear that you did not hand in a list of sums that you wanted, the total amount of which was 90*l*., and that you showed that to them?—I do not recollect that I did."
>
> "Will you swear that you did not?—I will not swear that I did not."
>
> "Have you any doubt that you did, upon your oath?—I must decline to answer that question."

The opinion of the committee was then taken, and the committee decided that he should answer; on which he stated,—

> "It was not to that amount."

Then Mr. Serjeant Shea went on with his examination, and put to him,—

> "To what amount was it?—I think it was between 50*l*. and 60*l*."

The book was not produced, and he contended, either that Wren must have perjured himself before the committee, or else that he must have manufactured the report since.

Mr. *O'Connell* said, the hon. Member for Finsbury had done him the honour to show him the book he had in his possession, and he could find nothing that was contradictory to the evidence given before the committee.

Amendment and original motion withdrawn.

PUBLIC HOUSES.] House in Committee on the Public Houses Bill.

On the 5th clause which prevents the sale of beer, spirits, and wine on board of steam-boats, between twelve o'clock on the Saturday night, and one o'clock on Sunday morning, being read.

Captain *Pechell* said, he had strong objection to this clause. It first related to the granting of licences; but what had that to do with steam-boats on the river? He must object to that part of the clause which imposed a fine of 5*l*. or three month's imprisonment, on the steward or stewardess of a steam-vessel, if they sold spirits or wine on the Sunday morning. Suppose a boat arrived early in the morning, or was about to sail early in the morning for Calais, Hamburg, or other foreign ports, in which boat most probably there would be ladies as passengers, perhaps some of them sea-sick; for persons often were as sick on the commencement of a short voyage as at the end. Were they to say—was the House of Commons to say, that in such cases a drop of brandy or a glass of grog should not be supplied without the party supplying it rendering himself liable to a fine. The gallant Officer opposite (Captain Rous) said, that this clause only extended to the banks of the Thames. Would it not affect steam-vessels and ships laying at anchor in the middle of the river, or those about to start on a voyage, and who probably might have some one on board unwell? He considered this clause most objectionable, obnoxious and vexatious, and had nothing to do with the general principle of the bill. He should have thought the gallant Officer the last man to propose dealing with steam-boats in such a manner. He should oppose the clause. He did not think it necessary to the bill. Some parts of the measure he had no objection to. He wished to aid widows in easily obtaining a transfer of licences held by their deceased husbands; but he must contend there was no occasion to interfere with steam-boats ships about to sail. With respect to vessels lying in wharfs the case might perhaps be somewhat different, and he trusted the gallant Officer would make some arrangement on the subject, or otherwise he must oppose the clause.

Captain *Rous* said, the clause could not by possibility be so construed as to effect steam-boat passengers. There was no such intention. The fact was this; to the disgrace of the City of London it was the custom of a number of persons to go on board steam-vessels and ships, smoke their pipes, and drink their grog at a time when the regular licensed public-houses were closed. Such a custom was a scandal to the city, and ought to be put a stop to. He thought it was not right that the steward of a vessel should have this privilege, when it was denied to Licensed Victuallers, whose expenses were much greater in every respect than those of a steward or stewardess of steam-vessels. He had no doubt the clause would be beneficial and promote morality. It was necessary for the protection of the Licensed Victuallers, for it was now well known that wine and spirits might be obtained on board vessels lying in the river, during divine service, and at times when public houses were obliged to be closed.

Captain *Pechell:* Parliament had legislated on this subject for eight years, and he believed it was now decided as to what were the proper hours for closing public-houses. In some districts the hours were not the same as in others. At all events he thought the clause ought to be confined to vessels lying close to the shore.

Mr. *Hume* suggested that if the clause was altered so as to exclude vessels lately arrived or about to start on their voyage the object would be obtained.

Mr. *B. Wood* hoped the hon. Member for Brighton would withdraw his objection altogether.

Mr. *Wakley* thought the gallant Captain not pressing this clause had reference to a serious and growing evil. Public-houses were now closed at twelve o'clock on Saturday nights, and not opened until one o'clock on Sunday, and thousands, tens of thousands of families now got a comfortable dinner on the Sunday, and the father was at home sober. Did the House wish to have floating public-houses open during divine service on the Sunday? The Licensed Victuallers said, and said justly, that if such a system was allowed to continue, it would be unfair to them. They were not allowed to sell, but parties had only to go on board, and they might obtain what they wished for to drink. He trusted the clause would be agreed to by the House without alteration or modification in any shape. He was convinced it would do good. With respect to the insertion of the words proposed, of "vessels about to sail," that would be useless and inoperative, as who could tell for a few hours when a ship would sail.

Amendment negatived.

Clause again put.

Captain *Pechell* objected to the clause altogether. The terms "Metropolitan District" would affect steam-boats from Falmouth and from the West Indies; and, in his opinion, such partial legislation would have the effect of materially interfering with the steam navigation of the country, which ought to receive the the greatest encouragement. He should like to know whether the penalties inflicted on licensed victuallers of the metropolitan districts were payable to the Police Receiver, or to the parish in which the offence was committed. [An Hon. *Member*: They are paid to the police funds."] He was not before aware of that, and he thought it exceedingly objectionable to place funds of this description in their hands.

Clause with amendments agreed to.

Mr. *B. Wood* proposed a clause defining the usual hours of divine service to be from eleven o'clock in the forenoon to one o'clock in the afternoon, and from three o'clock in the afternoon until half past four o'clock in the afternoon The hon. Member said, that the present system was one of the most anomalous that could possibly be conceived—public-houses being allowed to keep open on one side of the street, as was the case in many places in the Borough, which he had the honour to represent (Southwark), whilst on the other, they were compelled to keep shut, and therefore he was anxious for the sake of public morals, as well as of every other consideration, that the law as regarded divine service should be properly defined.

Clause read a first time.

On the motion that it be read a second time,

Captain *Rous* said, he entirely agreed with the hon. Member for Southwark, in the clause which he had brought up, and he had himself proposed a similar clause in the original bill. He had given way on that occasion to his right hon. Friend, the Secretary of State for the Home Department, rather than sacrifice the interests of those for whom he was interested. With respect to opening public-houses during divine service in fashionable parts of the town, divine service did not begin until half-past eleven, and in the neighbourhood of Oxford-street not until half-past twelve o'clock, and thus, alternately houses were continually open and shut. They made one law for themselves, and another for the lower orders. The rich had their club-houses to go to, whilst the poor were not to be allowed to go into a public-house; and his idea was, that the best way to act was, for the clergy to take as much care as they could of their religious education, for the improvement of the poorer classes would much more depend on that than on any legislative restrictions which they might impose with regard to public-houses. There were thousands of people in Westminster who had no churches whatever to go to; and yet, within a hundred yards of where they now sat, they had a magnificent Abbey, with nine churches, which only afforded accommodation to about 200 poor persons; and yet this establishment was maintained at a cost of about 25,000*l.*

per annum. Now it was, perhaps, presumptuous for him to say what he would do if he were connected in any way with the management of the Abbey; but if he were, he would endeavour to procure religious instruction for twenty or thirty thousand people, and instead of making these restrictive enactments and tying down people to particular hours, he would appeal to their good feelings and self-respect, which he was sure would have a better effect than by the adoption of any other means; for if a man chose to make a beast of himself, no act of Parliament could prevent him. He had, therefore, great pleasure in seconding the proposition of the hon. Member for Southwark.

Mr. *Manners Sutton* said, if the case was as had been described by the hon. Member for Southwark, the public had no cause to complain, as they could get accommodated at every hour of the afternoon by merely passing over the way. The restriction went only to maintain decorum during divine service in each particular parish.

Mr. *T. Duncombe* was quite of opinion that his hon. and gallant Friend, the Member for Westminster, would become a most popular representative of that city, if all his political views on other subjects were as sound as those which he had expressed with regard to Church reform. For his own part, he never heard better opinions in his life, even from the greatest Radical, with regard to the enormous salaries and small duties of the dean and chapter of Westminster Abbey. The question, now, however, was not as regarded this subject; but whether they should encroach still farther on the rights of that important class of her Majesty's subjects, the licensed victuallers. With regard to shutting up from Saturday night until one o'clock on Sunday, that appeared to have been done by a sort of consent, and he thought it was the best sort of compromise that could have been entered into; but with regard to the present proposition, he thought it would be a still further encroachment on the rights of the licensed victuallers, and the wants of those who frequented their houses. The hon. Member for Sheffield said, that he would have objected to it if it had been proposed to extend it to Sheffield, but he considered, that that was unfair, for it he objected to it as regarded Sheffield, why not object to it in the present instance? For his own part he should oppose it in every stage.

Mr. *Hawes* warned the hon. and gallant Member for Westminster against persisting in the present clause, for if he did it might endanger the bill in another place. Besides, he did not understand how it was reconcileable with the General Licensing Act, 9th of Geo. 4th.

Mr. *Hume* recommended his hon. Friend the Member for Southwark, to withdraw his motion, for he thought the bill was sufficiently complex without it.

Mr. *B. Wood* said, the present system was as full of complexity as could well be imagined. If the committee adopted his clause the public-houses throughout the metropolis would be shut from three o'clock to half-past four on Sundays.

Mr. *Darby* said, the hon. Member was right in supposing the law for closing public-houses in the morning of Sunday was clearly defined, but in the afternoon it varied in different districts. With respect to the observations made by the gallant Officer on Westminster Abbey, a reform had already taken place, by which the Church duty was increased.

Mr. *Aglionby* thought there was an uncertainty as to how many hours a man had to keep his house open on a Sunday afternoon. Whether it was right to keep keep public-houses shut from three o'clock to half-past four on Sundays, he was not prepared to say, but his opinion was that they ought to be closed during divine service.

Mr. *Muntz* could not avoid a strong impression that there was one law for the rich and another for the poor. He never knew that truism more amply exemplified. They were always calling aloud in that House, Church! Church! Church! He should like to know how the poor man who worked fourteen hours a-day during six days, were to rest from labour and enjoy themselves on Sunday, if they were forced to go to church? How did hon. Members in that House enjoy themselves? They went to clubs and rode out in carriages, but the poor working men had no such advantages. The knowledge of this made them feel disgust at the humbug, when, under the mask of morality, without allowing them time to bolt their food, they drove them to church. Was that treating them like human beings? It was not the way to acquire the good opinion of the people.

Mr. *Aglionby* admitted, that the object of legislation should always be the comfort and happiness of the people; but he certainly agreed with the gallant Officer who had said, if they could rely solely on the good sense and morals of the people, there would be no necessity for restriction at all.

Mr. *M. Sutton* did not wish for a general restriction on licensed victuallers on Sunday, but was astonished to hear the representations made on this subject in behalf of licensed victuallers.

Mr. *Wakley* supported the amendment. The proposed regulation of keeping public-houses closed from three o'clock to half-past four would define the time and add to the convenience of the publican.

Mr. *Duncombe* said, he wished to set his hon. Colleague right with respect to the wishes of the licensed victuallers. The object of the licensed victuallers was, that their houses should remain open after one o'clock on the Sunday; but his hon. and gallant Friend had said, that if the houses of publicans were opened from one o'clock, the Government would oppose the clause. He should say, in considering the merits of a class of tradesmen, the licensed victuallers, they had nothing to do with the controlling power of her Majesty's Government. "Let the public-houses remain open after one o'clock. That is what I want, and I do not mean to give up my opinion for any Government." If hon. Members wished to consult the wishes of licensed victuallers, they should leave the houses open after one o'clock. The licensed victuallers were a numerous and respectable body of tradesmen, and they would not suffer their interests to be frittered away. They were a great and powerful body, and they would not allow their rights to be defeated.

Mr. *C. Buller* said, this was not a case in which they were to act according to the wishes of licensed victuallers. The question was, whether they could make the law more simple and specific? It appeared they had times for opening their houses on Sundays of a vague description. They were to open at one hour in one place, and at another in other districts.

Mr. *Ferrand's* objection to the other clause was, that whilst it purported to keep the working classes from one class of houses on the Sunday, it did not keep them out of another class. If these public-houses were closed against them on the Sunday, they would go into the country to what was termed the Whist-houses, and indulge in excesses.

Mr. Alderman *Humphery* said, when the Beer Bill was under discussion some time ago, it was contended, that public-houses should be shut up from twelve o'clock on Saturday night to one o'clock on Sunday, and after that hour they were to be free. He could not understand how they wished to make the publicans shut up their houses in the middle of the day. He never heard in the City of any information against houses kept open after one o'clock. The publicans should have freedom to keep open their houses after one o'clock. It was said, they might not be open before the evening. More persons went to church in the evening than in the morning, and that circumstance proved the inconsistency of their legislation.

The committee then divided on the question, that the clause be read a second time:—Ayes 23; Noes 59; Majority 36.

List of the AYES.

Aglionby, H. A.
Allix, J. P.
Bowring, Dr.
Broadwood, H.
Buller, C.
Buller, Sir J. Y.
Christie, W. D.
Duncombe, hon. O.
Flower, Sir J.
Forster, M.
Granger, T. C.
Grosvenor, Lord R.
Manners, Lord J.
Norreys, Sir D. J.
Ogle, S. C. H.
Philips, M.
Redington, T. N.
Roebuck, J. A.
Rushbrooke, Col.
Thornely, T.
Wakley, T.
Ward, H. G.
Wawn, J. T.

TELLERS.

Wood, B.
Rous, hon. Capt.

List of the NOES.

Bankes, G.
Bannerman, A.
Barnard, E. G.
Beresford, Major
Browne, hon. W.
Chetwode, Sir J.
Clayton, R. R.
Clerk, Sir G.
Cochrane, A.
Colvile, C. R.
Cripps, W.
Darby, G.
Douglas, Sir C. E.
Evans, W.
Fielden, J.
Ferrand, W. B.
Goring, C.
Graham, rt. hn. Sir J.
Guest, Sir J.
Hardy, J.
Hawes, B.
Henley, J. W.
Hervey, Lord A.
Hodgson, R.
Howard, hon. H.
Hume, J.
Humphery, Mr. Ald.
Inglis, Sir R. H.
Knatchbull, rt. hon. Sir E.
Lockhart, W.
Mackenzie, W. F.
Maher, V.
Marsham, Visct.
Marsland, H.
Martin, J.
Martin, C. W.
Master, T. W. C.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Muntz, G. F.
O'Brien, A. S.
O'Connell, M. J.
Pakington, J. S.
Parker, J.

Pechell, Capt.
Plumridge, Capt.
Plumptre, J. P.
Pollington, Visct.
Reade, W. M.
Round, C. G.
Scholefield, J.
Seymour, Lord
Smythe, hon. G.
Somerset, Lord J.
Stanton, W. H.
Turner, E.
Wall, C. B.
Wynn, rt. hn. C.W.W.

TELLERS.
Sutton, hon. I. H. T.
Duncombe, T.

Mr. *Pakington* rose to move the adoption of the amendment which he was desirous of adding to the bill, namely, to make all public-houses throughout the country, remain closed from twelve o'clock on Saturday night to one o'clock on Sunday. The hon. Member observed, that he was in no way opposed to the licensed victuallers. He was one of those who would be the last to deal harshly with that body; but morality overruled everything. He wished the clause he had to propose might be the law of the land. It had been introduced in a private bill applicable to Liverpool. In the bill of which he was speaking, a clause, making the regulation he proposed was agreed to without opposition. He thought it ought to be extended over the country. He had received many representations from various parts of England on the subject. One stated, that it would prevent men in the country from spending the wages they ought to carry home to their families. A letter from an old licensed victualler at Bath, and one from a person of the same trade in Plymouth, begged he would persevere in his endeavour to make his proposal the law of the land. The hon. Member concluded by moving the following clause:—

> "And be it enacted, that any licensed victualler or other person who shall open his house for the sale of wine, spirits, beer, or other fermented liquors, or shall permit the same to be sold therein on Sundays, Christmas-day, or Good Friday, before the hour of one in the afternoon, shall be liable to a penalty not exceeding five pounds, to be recovered within three calendar months after the commission of such offence, before any two justices acting in petty sessions for the county, city, or jurisdiction, within which such offence shall have been committed; any portion of such penalty, not exceeding one-half, to be awarded, at the discretion of such justices, to the informer, and the remainder to be paid to the treasurer of the county, city, or jurisdiction within which such offence shall have been committed, to be by him applied towards defraying the expenses of such county, city, or jurisdiction; and if such penalty, so adjudged, shall not be forthwith paid, it shall be lawful for such justices to commit the offender to any gaol or house of correction within their jurisdiction, for any term not exceeding one calendar month, such imprisonment to cease if such penalty shall be sooner paid; provided always that nothing herein contained shall extend to prevent refreshment to travellers."

Clause read a first time.

On the motion that it be read a second time.

Mr. *Roebuck* said, that he was not one of those who were disposed to loosen the bonds of the law in this country in favour of drunkenness. He would not, however, support the motion of the hon. Member. He did not see how the hon. Member could obtain the object which he had in view. It might be a good thing to promote sobriety amongst the poor, but the object might be attempted by means the most mischievous. They were about to create a great number of crimes. They were about to extend the liability to the imputation of crime for three calendar months, and to admit informations as to the commission of that crime to be received during all that period. He perceived that an hon. Member opposite intimated his dissent as to the fact of the creation of a great quantity of crime; but would not the House, if it assented to the motion of the hon. Member, make crimes by law? Making things crimes by law would not, however, prevent the occurrence of those crimes, but it might create much evil. When it was proposed to make things crimes which were not at present crimes by law, it was necessary to prove that some great good would result from such legislation. The hon. Member must know something about the worshipful justices of the peace. He confessed, that he knew, as far as his knowledge went, no class of men more unfit to administer the law than these worshipful justices. Hon. Members must know that the law, as administered before these men, was nothing more than a matter of battledore and shuttlecock. Every one knew, that there was nothing like certainty in the administration of the law before the justices. In fact they did not pretend to know the law. Then again, there would be nothing like publicity in the proceedings before them, as related to the present matter. In the private parlour of the magistrate the information would be taken, and those informations might be given and decided upon three months after the time when the offence might be alleged to have taken place. Suppose that, at a period of three months past, a licensed victualler might have opened his door to give a cup of coffee, and an information had been laid against him, the licensed victualler would, after that period of time, be called on to prove that he had merely given coffee. And what would be the consequence if he was unable to meet the charge after that period? He would be confined for one calendar month in the county gaol. Such was the clause moved by the hon. Member. He had always been taught that he ought to bless God because he lived in a country where he could not forfeit his liberty without a trial by his fellows. Yet this extraordinary power was to be given to any two justices sitting in their private parlour. He wished the House and the hon. Member to recollect, that he was not opposed to the object which he sought to attain. He believed sobriety was a good thing, but at the same time he believed, that more evil than good would be attained by the success of the hon. Member's clause. It might be well to introduce a stringent system of police with regard to the large populations of London and Liverpool, but he objected to their establishing the stringency of their police regulations amongst the green fields of the country. He believed, that if they left the prohibition of crime more dependent on public opinion—if they separated it less from the incarnation of man—they would have a more loyal and better organised population than if they gave to every pelting petty officer the power of vexatious interference.

Captain *Rous* would also oppose the clause. He knew that sailors frequently landed on Saturday evenings. When the steamers arrived the hotels were open to the cabin passengers, while the men, who had borne all the severity of the weather, would be prevented by the clause of the hon. Member from regaling themselves in their own holes. He thought there was no sense or justice in that. It was known that the Liverpool Watch Committee had applied to the Secretary of State to know whether the regulations which were established in London in this respect would be extended to Liverpool, and an answer was received in the negative. The late Government were not so absurd as to adopt such a course as was now proposed, and he hoped the present Government would avoid it. What had been the consequence of their legislation in London? It was notorious, that in the neighbourhood of Drury-lane there were houses where, after twelve o'clock on a Saturday night, not only drunkenness but vice of other kinds was encouraged—where there was, in fact, a perfect saturnalia. If men were disposed to be drunk and vicious they would be so, notwithstanding all their legislation. By the bill which applied to the metropolis on this subject, they had devolved the duty of complaint against licensed victuallers on the police; but the proposed clause would establish a set of informers through the country. He should oppose the clause.

Mr. *Mark Philips* thought, that it would be unfair to the working classes to close the public-houses until one o'clock on the Sunday morning.

Sir *Robert Inglis* said, that an hon. and gallant officer had opposed the clause because sailors arriving in port would by it be prevented from obtaining admittance to public-houses. That hon. Member should recollect, that at present there were two principal ports to which the regulation of closing public-houses until one o'clock on Sundays, already applied—he meant the ports of Liverpool and London. It was not considered so great a grievance that it should apply to those ports. He was surprised to hear the hon. and learned Member for Bath vituperate the county magistracy. That hon. Member, when appointing a committee to investigate the subject of bribery at certain elections, had nominated country gentlemen, of which class the magistracy was principally composed. The hon. and learned Member had said, that those magistrates would decide in their parlours. That was not the case. The magistrates would decide in petty session, but not in their parlours. His hon. Friend only endeavoured to apply to the country districts of England a principle which was found to work well in the metropolitan districts. The hon. and learned Member for Bath ought, if he were consistent, to move for a repeal of the law which applied, on this subject, to London and Liverpool. He would support the clause.

Mr. *Roebuck* did not wish to vituperate any class of men, and had not vituperated the country magistrates. He had only said, that they were not learned in the law. He did not think also that it followed, because he was obliged to ask certain hon. Members of that House to investigate, as a committee, certain matters of fact, the magistrates of the country should, therefore be qualified to decide on questions of law. However high an opinion might be entertained of the judgment of the right hon. Gentleman, the Secretary for the Home Department, it did not follow that he would make an excellent Lord Chancellor.

Sir *James Graham* believed, that the magistrates of the country discharged a most important duty with the utmost fidelity. He was not about to discuss the question of the composition of the committee which the hon. Member had obtained. With respect to the question before the House he had voted on the last occasion against the motion of the hon. Member for Southwark. He had a strong desire to leave the law for the present undisturbed. He thought, that in the metropolitan districts the law had worked well. He did not, however, feel disposed to extend its provisions to the rural districts. He believed his hon. Friend was wrong in stating, that the metropolitan regulations respecting public-houses extended also to Liverpool. There was a clause in a bill before the House to that effect; but it had not yet become the law. He thought, that three months was too long a period during which to leave the licensed victualler liable to the prosecution, and he was also convinced that the penalty provided by the proposed clause was too heavy a penalty for the offence. He objected not only to the machinery of the clause, but also to the extension of the principle embodied in it to the rural districts. It was said, that the working classes would be prevented by this clause from resorting to the public-house for the purpose of obtaining tea or coffee, as was the habit in the country. For his part, he saw no objection to their regaling themselves with bread and cheese and a glass of ale. He understood that it was generally the habit of the working classes to breakfast, in the country, in the public-houses. He knew of no objection, in like manner, to their having the innocent gratification of reading the newspaper in those houses. He was sorry to oppose the clause of the hon. Member, but he could consistently pursue no other course.

Mr. *Hardy* said, that in their present legislation they were dealing with a most respectable body of men. Those men were already under a peculiar restriction, that the magistrates at the end of the year might refuse their licences if they misconducted themselves. He would ask, why should the House confine the prohibition to have their houses open to one o'clock on the Sunday, and not extend it to the whole day? He thought the present proposition was a riduculous one. He thought that the licensed victualler might well be left to the opinion of his neighbours, who, if his house was not properly regulated, might call on the magistrates to refuse his license.

Mr. *Muntz* said, that the country, he was sure, would be grateful to the hon. Member for Dorchester for the liberal sentiments he had expressed. It was not alone the agricultural population which were interested in the present question, but he knew that it was the habit of the manufacturing population to walk out in the country on a Sunday morning, when, no doubt, it would be a gratification to them to have an opportunity of taking a glass of ale. He thought the House would take materially from their comforts if it acceded to the present motion; whilst it would not, at the same time, improve their religion. It would also unnecessarily throw a great slur on a respectable body of men.

Mr. *T. Duncombe* said, that the same arguments which the right hon. Member for Dorchester had used had been used in that House with regard to the Metropolitan Police Bill with, he regretted to say, less effect than was likely to attend them on the present occasion. Admitting for a moment that the clause were to become the law of the land, he wished to remind the House that a different class of persons were to administer it in the country from those who administer it in London. In London the law was administered by the stipendiary magistrate, who knew the law; and he fully agreed with the observations of the hon. and learned Member for Bath respecting the ignorance of the law of the country magistracy. In the country the law would be administered by gentlemen having local interests and prejudices. He, for his part, wished that there were only stipendiary magistrates throughout the country. He believed that on this subject there was one law for the rich and another for the poor. He protested against the law on this subject, as it related to the metropolitan districts. He did not think that it worked well. They only drove the working men from the public-houses to worse places. What did the working men do at present? Knowing that the public houses would be closed until one o'clock on the Sunday, they brought home a stock of gin, which they consumed either in parties in their own houses, or in worse places. If the licensed victualler were ill-behaved, his license might be refused. He now asked the country gentlemen how they liked the application of this principle to the rural districts? He would not return evil for evil, and would, therefore, oppose the clause.

Mr. *Ferrand* said, that the hon. Member for Droitwich forgot that in the rural districts the church was generally in the centre of the parish, and those who attended the church generally had a considerable distance to walk in the morning, and required their breakfast, or some slight refreshment, in the public-house, before the time for divine worship arrived. He would vote against the clause.

Mr. *Parker* said, that he had been entrusted with a petition against the proposed clause, and he should oppose it.

Viscount *Sandon* at first had been disposed to listen favourably to the proposition of the hon. Member for Droitwich, but the statements he had since heard on the subject induced him to change his opinion. There was one suggestion which had been thrown out, and which he thought it might be well to adopt; he referred to the suggestion that public-houses in the country ought to shut at ten instead of as at present at eleven, as that would give an hour longer to prepare for church.

Mr. *Pakington* congratulated the hon. Member for Bath and the hon. Member for Finsbury on the opportunity which his motion had afforded them of heaping their abuse on the county magistrates. The hon. Member for Bath seemed to be very much disappointed that justice could be administered by gentlemen who were not lawyers. With regard to the machinery of the measure, he was willing to make several modifications in it. The liability to imprisonment for a month was, perhaps, too severe a penalty. With regard to the fine of *5l.*, the House ought to recollect that that was the highest amount allowed, while it was left to the discretion of the justices to make it as much lower as they might think fit. He was also willing that instead of the fine being forthwith paid, it should be left to the discretion of the justices to fix the time for its payment. But while he was ready to admit that the machinery of the measure would admit of modification, he had heard nothing that evening that would induce him to withdraw his motion.

Mr. *Jervis* said, that no modification which the committee could make would render it possible to carry out the hon. Member's views, He thought the best way would be to withdraw his motion, and re-introduce his clause in an amended form on the bringing up of the report. The hon. Gentlemen's clause made no provision for an appeal against the decision of the justices at quarter sessions. He and the hon. Member must see that there must be some court of appeal. He was favourable to the principle of the clause, though opposed to the clause itself; and, therefore, it was that he was anxious to see the clause withdrawn, and re-introduced in an amended form.

The committee divided on the question that the clause be read a second time:—Ayes 7; Noes 110:—Majority 103.

List of the Ayes.

Chetwode, Sir J.
Duncombe, hon. O.
M'Geachy, F. A.
Pechell. Capt.
Plumptre, J. P.
Reade, W. M.
Round, C. G.

TELLERS.

Pakington, J. S.
Inglis, Sir R. H.

List of the Noes.

Acton, Col.
Aglionby, H. A.
Aldam, W.
Allix, J. P.
Baillie, H. J.
Bankes, G.
Bannerman, A.
Barclay, D.
Baring, hon. W. B.
Beresford, Major
Blackstone, W. S.
Bodkin, W. H.
Bowring, Dr.
Brotherton, J.
Browne, hon. W.
Buller, C.
Buller, Sir J. Y.
Busfeild, W.
Carew, hon. R. S.
Charteris, hon. F.
Chelsea, Visct.
Christie, W. D.
Clayton, R. R.
Clerk, Sir G.
Cochrane, A.
Craig, W. G.
Cripps, W.
Darby, G.
Douglas, Sir C. E.
Duncombe, T. S.
Ebrington, Visct.
Egerton, Lord F.
Escott, B.
Evans, W.
Ferguson, Sir R. A.
Fielden, J.
Ferrand, W. B.
Flower, Sir J.
Gill, T.
Gore, hon. R.
Graham, rt. hn. Sir J.
Granger, T. C.
Grogan, E.
Hardy, J.
Hastie, A.
Hawes, B.

Henley, J. W.
Hervey, Lord A.
Hill, Lord M.
Hindley, C.
Hodgson, R.
Howard, P. H.
Howard, hon. H.
Hume, J.
Humphery, Mr. Ald.
Hussey, T.
Hutt, W.
James, W.
Knatchbull, rt.hn.SirE.
Layard, Capt.
Lincoln, Earl of
Lindsay, H. H.
Lockhart, W.
Lowther, hon. Col.
Maher, V.
Manners, Lord J.
Marsham, Visct.
Marsland, H.
Martin, J.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Mitcalfe, H.
Mitchell, T. A.
Morgan, O.
Morgan, C.
Morris, D.
Muntz, G. F.
Murray, A.
Napier, Sir C.
Newry, Visct.
Northland, Visct.
O'Brien, A. S.
O'Conor, Don
Ogle, S. C. H.
Parker, J.
Philips, M.
Pollington, Visct.
Redington, T. N.
Repton, G. W. J.
Richards, R.
Rous, hon. Capt.
Rushbrooke, Col.
Sandon, Visct.
Scholefield, J.
Scott, hon. F.
Seymour, Lord
Smythe, hon. G.
Somerset, Lord G.
Stanton, W. H.
Thornely, T.
Troubridge, Sir E. T.
Tufnell, H.
Walsh, Sir J. B.
Ward, H. G.
Wawn, J. T.
Westenra, hon. J.
Wood, B.
Wortley, hon. J. S.
Wynn, rt.hn. C.W.W.

TELLERS.
Roebuck, J. A.
Sutton, hon. J. H. M.

Mr. Alderman *Thompson* moved a clause to the effect, that, that all public-houses within the metropolitan district should be kept open on Sunday, Good-Friday, and Christmas-day, during divine service, after one o'clock in the afternoon.

On the question, that the clause be read a second time,

Sir *James Graham* thought, that the existing law regulating the opening and shutting up of public-houses on Sundays, ought not to be disturbed for some time. It was quite clear, that the act now in operation intended that public-houses should be closed on Sunday afternoons during the hours of divine service, as well as in the mornings.

Mr. *Hume* had hoped from the liberal sentiments he had that evening heard from the right hon. Baronet (Sir James Graham) that he would not have opposed this clause. The restriction would produce no good. The rule observed was different in the city and other parts of the metropolis.

Mr. *T. Duncombe* objected to the clause shutting up public-houses in the afternoons of Sundays when it was originally proposed; and it was only agreed to because the late Government wished that it should be so. The object of the clause by his hon. Friend (Mr. Alderman Humphery) was to destroy the anomaly which at present existed; for, in two parishes, the parishes of Chelsea and Kensington, public-houses were shut and opened at different hours, divine service being at different periods of the afternoon. In the one parish the houses shut at three o'clock, while houses across the road, in the other parish, did not shut till four o'clock. All that was asked by the clause before the House was, that there should be an equality on this point. If the question was one of morality, why were not all the public-houses closed on Sundays? If not a question of morality, why were they not all open on that day?

Mr. *Stuart Wortley* said, that no reason had been advanced why the clause should be adopted. His acquaintance with licensed victuallers in the provinces led him to believe that they were quite satisfied with the law as it now stands.

Captain *Rous* most particularly wished that the licensed victuallers of the metropolis should have the liberty of keeping their houses open the whole of Sunday after one o'clock. In point of morality, the shutting-up of public-houses on Sundays was the grossest humbug. He did not understand the course which was pursued on this subject. They (the friends of the licensed victuallers) had all the argument on their side. The licensed victuallers ought to be allowed to open their houses at one o'clock, and then shut them when they pleased. If you treat men like men they will behave themselves like men. If you treat men like children, you either drive them stark staring mad, or make them become like children.

Mr. Alderman *Humphrey* said, there was a great inconsistency in the law as it now stood; for in some parts of London you had only to cross the road to get one public-house open if you found another closed. You cannot make men go to church by act of Parliament. If you wish to make people moral and religious, you must first become moral and religious yourselves. Steam-boats sold spirits at all hours on Sunday; it was therefore strange that Government should uphold the law as it present stood.

The committee divided:—Ayes 27; Noes 69:—Majority 42.

List of the AYES.

Aglionby, H. A.
Bannerman, A.

Bowring, Dr.
Browne, hon. W.
Christie, W. D.
Fielden, J.
Gill, T.
Hill, Lord M.
Hume, J.
James, W.
Layard, Capt.
Martin, J.
Mitcalfe, H.
Mitchell, T. A.
Muntz, G. F.
Murphy, F. S.
Napier, Sir C.
O'Connell, M. J.
O'Conor, Don
Pechell, Capt.
Philips, M.
Redington, T. N.
Roebuck, J. A.
Rous, hon. Capt.
Scholefield, J.
Seymour, Lord
Tufnell, H.

TELLERS.

Humphery, Mr. Ald.
Duncombe, T. S.

List of the NOES.

Acland, Sir T. D.
Acton, Col.
Allix, J. P.
Bagge, W.
Bankes, G.
Baring, hon. W. B.
Blackstone, W. S.
Bodkin, W. H.
Brotherton, J.
Buller, C.
Busfield, W.
Charteris, hon. F.
Chelsea, Visct.
Clayton, R. R.
Clerk, Sir G.
Cochrane, A.
Cripps, W.
Darby, G.
Dickinson, F. H.
Douglas, Sir C. E.
Duncombe, hon. O.
Escott, B.
Evans, W.
Ferguson, Sir R. A.
Ferrand, W. B.
Flower, Sir J.
Graham, rt. hn. sir J.
Granger, T. C.
Grogan, E.
Hardy, J.
Hastie, A.
Hawes, B.
Henley, J. W.
Hervey, Lord A.
Hodgson, R.
Howard, P. H.
Hutt, W.
Inglis, Sir R. H.
Jermyn, Earl
Knatchbull, rt. hn. Sir E
Lincoln, Earl of
Lindsay, H. H.
Lockhart, W.
M'Geachy, F. A.
Manners, Lord J.
Marsham, Visct.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Miles, W.
Morgan, O.
Morgan, C.
Morris, D.
Murray, A.
Neville, R.
Newry, Visct.
O'Brien, A. S.
Pakington, J. S.
Parker, J.
Plumptre, J. P.
Pollington, Visct.
Round, C. G.
Rushbrooke, Col.
Sandon, Visct.
Scott, hon. F.
Smythe, hon. G.
Stuart, H.
Troubridge, Sir E. T.
Walsh, Sir J. B.
Wynne, rt. hn. C. W. W.

TELLERS.

Sutton, hon. M.
Wortley, hon. S. J.

The House resumed. Report to be received.

SUDBURY DISFRANCHISEMENT.] Mr. *Redington* moved the second reading of the Sudbury Disfranchisement Bill.

Mr. *Bagge* opposed the motion, contending that the proof of bribery against some of the electors was no ground for the disfranchisement of all.

Sir *George Clerk* said, if they looked to the precedent which was followed in the cases of Carrickfergus and Stafford, they would see that it was necessary, before the second reading of a bill of this nature, to serve a copy of the bill on the returning officer.

Mr. *Redington* said, if the House would agree to the second reading, he would not ask them to come to any decision until the returning officer had been served with a copy of the bill.

Colonel *Rushbrooke* said, that he had this day presented a petition from certain of the inhabitants of Sudbury, who stated that they felt it extremely hard that they should be treated in the manner proposed, while other boroughs were equally guilty.

Mr. *Blackstone* thought that Government ought to state their opinion on a question of such importance. East Retford, Shoreham, and other places had been rectified by adding to the borough certain agricultural parishes. Why should not the same course be adopted in the present case? He begged to move that the debate be adjourned to this day.

Viscount *Sandon* said, that in his opinion they would never get quit of bribery so long as they hunted down boroughs and not individuals. He begged the House to consider well the consequences before they proceeded to disfranchise even so small a borough as Sudbury, because it was setting a precedent which might be extended to boroughs with a much larger population.

Mr. *T. Duncombe* said, that he did not wish to oppose the motion made. He merely wished to state, that during the past week he had presented a petition signed by 120 electors of Sudbury—by a magistrate and three dissenting ministers. The petitioners stated that they highly approved of the resolution to which the committee had come, in reporting that gross bribery had been practised at the last election, and they also stated that bribery had existed for many previous years. He felt quite certain that the hon. Member opposite could confirm that statement. The petitioners suggested that if the limits of the present constituency were greatly extended, and if the votes were taken by ballot, that this would be a sufficient protection against intimidation and bribery. He had thought it right to remind the House of this petition, and he had only further to state that he cordially concurred in the motion for the adjournment of the debate.

Motion withdrawn. Second reading of the bill postponed.

BRIDPORT ELECTION.] The Order of the Day for resuming the adjourned debate on the reference of the case of Bridport to the select committee appointed to inquire whether certain corrupt compromises have been entered into, and gross bribery has taken place in the towns of Harwich, Nottingham, Lewes, Penryn, and Falmouth, and Reading having been read,

Mr. *C. Buller* said, he should not propose at that late hour of the night to go on with the motion he had made on last Saturday morning, if he were now to deal with the motion as he had originally proposed it, but it appeared to him, that he had now to do with an altered proposition, because the House the other night had decided the main principle, and left for to-night nothing but comparatively small matters of detail. He had acceded at once to the proposal to postpone the further consideration of the subject, in order to give time for deliberation as to the mode, merely in which the inquiry might best be carried into effect, and he should not trespass on the House at present, by going into any statements in reference to those explanations which he had been requested to make in contradiction to the charges which had been brought forward against Mr. Warburton. He would merely state the position in which he conceived the question now stood. The House, by a large majority, had passed this resolution,

> "That an inquiry be made into certain corrupt compromises alleged to have been entered into for the purpose of avoiding investigation into gross bribery which had been alleged to have been practised at the election for the borough of Bridport in June last, and also whether such bribery has taken place in the aforesaid town."

The House having thus determined that inquiry should take place, he presumed that they would not stultify themselves by their vote on the present occasion, and, therefore, he shonld proceed without any apprehension of the result to-night. He could not anticipate any objection to the proposition, that the case of Bridport stood on the same grounds—and on that the right hon. Baronet (Sir R. Peel) had the other night fully agreed—as those for inquiring into which the committee of his hon. and learned Friend (Mr. Roebuck) would enter; nor was there any question that a corrupt compromise had taken place previously to the compromises brought forward by his hon. and learned Friend, nor that the bribery took place at the same time as in the other cases. Therefore, in point of consistency, the House should have taken this case of Bridport the very first of all the cases. He moved, therefore, that the case of the borough of Bridport be referred to the committee which had been appointed on the motion of his hon. and learned Friend. He adopted this course, because he thought it better that the case should go before them, than a new and separate committee; for the House had already got a good committee, which was one reason why he wished it to go before them; and in the next place, by making this reference, he should avoid any of those imputations of partiality in the formation of a new committee which had been made before, and might have been made again.

Mr. *G. Bankes* must be allowed to say for himself and some other hon. Members, that they were not compromised by the decision which the House had come to the other night, with which he, for one, was not satisfied, and at which he had met with no one out of the House who was not surprised. In fact, he thought that a most dangerous precedent had been set. Not stopping at the motion of the hon. and learned Member for Bath, they were now about to take a step to the results of which no one could look with certainty, all must look with apprehension. Henceforth, if they adopted this motion, whenever there was an unsuccessful candidate anywhere, who might not have thought fit to present a petition in the ordinary way, the door was opened for him to come forward at any length of time after the election was over, and demand an inquiry in this way. ["No, no."] He insisted it was so; and he knew not how, after this, they were to shut the door against any candidate in such circumstances who might find it convenient to come and demand a reference of his case to some unheard of committee to inquire into the truth of any allegations by which he might consider himself aggrieved. Why, an instance had occurred that very night; for it had been stated in a petition presented by the hon. and learned Member for Bath (Mr. Roebuck), that the Member for Lichfield had obtained his seat by means of corrupt practices. But the petition had not been listened to as Mr. Warburton's was, because the names appended to it were those of people whose names were unknown there; and moreover, there was no one to take up their case; but he must be allowed to say, that that petition had as much right to be treated with attention as that of Mr. Warburton; and the House might depend upon it that if they allowed such petitions as that of Mr. Warburton's to be treated as his was, that they would find plenty of disappointed candidates who would follow up this course, which would have the recommendation of superior cheapness to the appointed method of going before an election committee. Observe the course that had been adopted. The petition of Mr. Warburton was presented by a Gentleman who expatiated on the wounded feelings of the petitioner, which he stated to be the reason why the petitioner came before the House; in fact, the hon. Gentleman stated himself to be a personal friend of Mr. Warburton. But he said, that these wounded feelings of an unsuccessful candidate, the House was not bound to follow, on the ground, that it was the case of a friend, who brought forward the case of his personal friend. Next, who got up to advocate Mr. Warburton's cause? Another personal friend, the late Solicitor-general, the most powerful advocate of the day, who was called up, not in defence of public justice, but as a private friend of the party, and as a friend he was heard, and as a friend the House respected his feelings. Nevertheless, he would say, that were not sitting there to listen to private feelings, still less, were they sitting there to hear charges of private spleen. The circumstances of this case had no reference to any public proceedings; it did not arise out of any public investigation, and there was the main difference between this case, and those which had been referred to the committee of the hon. and learned Member for Bath. For his own part, with respect to the proposition of the hon. and learned Member, he should have thought that the House would have acted more consistently with its usual desire to secure the respect of the public, if they had not come into the decision on the proposition with quite so much haste, considering how serious might be the consequences, and how powerful were the weapons which they were about to place in the hands of the hon. and learned Member for Bath. He did not dispute the decision to which the House had come, in granting the hon. and learned Member his committee, but for the considerations he had stated, he trembled at the idea of carrying out the principle any further. That principle was known to the House—it was founded upon peculiar facts—facts importing, that the decisions of those tribunals which were appointed by the House, for the peculiar purpose of judging questions relating to elections, had been contravened by means of certain corrupt compromises, as they had been designated by the hon. and learned Member for Bath. As he had already observed, he would have been better satisfied, had there been more deliberation applied to the question, before that committee was appointed; but still it was a principle, and he could well understand it. The application made in the present instance, however, was founded upon no principle, and he did see, that mischievous consequences might—nay, must—follow from the adoption of the course which the hon. and learned Gentleman, the Member for Liskeard, offered for their acceptance. There had been, already, a majority on this question, but there was also a minority on that occasion, whose views he had taken the liberty of stating. It was true, that the majority was large, but those who composed it, were very far from being of one opinion, either as to the results to be expected, or as to the course which ought to be pursued. The noble Lord, the Secretary for the Colonies, stated, that he had no desire to refer this case to the committee appointed on the motion of the hon. and learned Member for Bath. ["No, no!"] He certainly was sitting near the noble Lord on that occasion, and he thought he rather heard him urge on the House, that this case should not form part of the inquiry before that committee. His right hon. Friend, at the head of the Treasury, did not express himself very exactly as to his ulterior views with regard to the subject. He stated, that he should feel some difficulty in supporting a bill of indemnity for witnesses; but, at the same time, admitted, that without such a bill of indemnity, the inquiry would be wholly nugatory. But what would be the consequence of including this case? Why, that the bill of indemnity would be made to apply to an inquiry, the motives of which were avowed to be not public, but private and personal. Was that a fit case in which to grant a bill of indemnity? The hon. and learned Member for Bath seemed to be surprised, when, a few moments ago, he spoke of the weapon which the House would place in his hands. Might not a bill of indemnity be described as a weapon of the most powerful kind—one which they ought not to intrust to any man except for the most important purposes, and certainly to no man in whom they did not feel a confidence that he would use it rightly? A bill of indemnity was a contravention of the known law of the land; it was to enable those to whom it was intrusted, to act contrary to those known principles of the law of the land, which all admitted, ought not in general cases to be adhered to. For if they ought not to be adhered to, why was there not a general indemnity bill to apply to all witnesses whatsoever? If the general principle, that a person should not be allowed to criminate others without being exposed to the legal consequences of his actions, was to be superseded—if a person in the confidence of others was to be permitted to betray that confidence,—why, a bill that would be universal in its operation would be the best mode of altering the law. But if it was right to grant this bill of indemnity for the purposes of the inquiry embraced by the committee of the hon. and learned Member for Bath, and he went with him to that extent, surely the House would not go further and say that it was right as regarded this case of Mr. Warburton, which rested on avowedly different grounds. He, for one, never could concur in any bill of indemnity grounded on a demand which came forward as this demand of Mr. Warburton did, which proceeded upon complaints of private injuries, avowing motives of private pique, and urged upon the House by means of the claims of private friendship. He was justified in thus characterizing the motion, because the hon. and learned Member for Liskeard prefaced his statement by a declaration that he had been actuated by private and not by public motives in bringing it forward. He did feel that the hon. Member would, on reflection, feel that this was not a case in which he, with those legal and constitutional feelings which he so eminently possessed, would urge upon the House a course which must, of necessity, under such circumstances lead to this case of Bridport being included in the Indemnity Bill—without such a bill he must be well aware that the inquiry must be nugatory. Above all, he did not think the hon. and learned Member for Bath could wish this case to be added to his committee. He thought, too, the majority of the House would be of the same opinion, and if the motion were therefore negatived, it would then be for the House to consider whether they would refer the subject to a separate select committee. For his own part he should oppose the motion.

Mr. *Brotherton* said, if hon. Members would bring on opposed questions at this late hour, (five minutes to one o'clock), he had no alternative but to move the adjournment. He could only teach the House a lesson in that way; and if the motion was seconded he should divide.

Dr. *Bowring* seconded the motion.

Mr. *C. Buller* granted he had offended against the rule, and that he was liable to the punishment threatened by the hon. Gentleman, but he hoped the House would allow him to state the additional reasons why he had brought forward this question at so late an hour. The case was this:—The hon. and learned Member for Bath had proposed a bill of indemnity, into the preamble of which bill he, notwithstanding the arguments of the hon. Member for Dorsetshire, meant to persist in asking the House to introduce the name of Bridport. Now, that bill was to come on to-night. [" No, no."] Well, if not to-night, at all events very soon; and what he wanted was, to have his motion disposed of before the third reading of the bill came on for discussion, because, though the House of Lords, taking cognizance of the votes of that House, might insert it, he would rather it was inserted here. Should the House refuse to insert it in the preamble of the hon. and learned Member's bill, then he would have to apply for an indemnity bill of his own.

Mr. *Roebuck* entirely concurred in what the hon. Member for Dorsetshire had said as to his having no desire that this case of Bridport should be included. The hon. Member, however, had said, that the House were about to invest him with great powers. He utterly disclaimed every thing of the sort. The House had constituted a committee to inquire into a particular matter of public policy, and it proposed to give that committee certain powers. He thought it rather hard upon him that it should be put in the invidious form that he was to wield a power which, in fact, the House shared with him. The simple case was, that the House had confidence in that committee of nine, and had given to it certain powers for the purposes of the inquiries desired by the House. It was not a judicial inquiry. The House had determined to undertake the inquiry. He had suggested it as an inquiry into what he deemed to be an omitted case in the law of elections. He had declared to the House that he could show, from facts which had come to his knowledge, the means by which the desires and laws of the House with regard to elections had been evaded and eluded by certain proceedings. For the purpose of making those facts known to the House he had moved for this committee, which the House from motives of public policy granted. What was the omitted case in the law of elections? It was that certain parties before the inquiries could take place before the regular tribunal had made what he called corrupt compromises—a phrase which had since been used to designate those transactions. If the hon. Member could withdraw the case of Bridport from the category, he should prefer it. He should recollect that he was arguing against himself—for he did not want further inquiry. He thought the load already heavy enough for the committee to bear, and he therefore only pointed out things which militated against his own interest, but which he considered it fair and just to notice. Mr. Warburton was the private friend of the hon. Member for Liskeard, who brought forward the petition through feelings of private friendship, in which he sincerely concurred. But, putting aside those feelings, what were the facts? Why, that they had discovered, no matter how, and they could hardly have had a better mode of discovery than in the statement which had been presented to the House—they had discovered by that statement that offenders there had been—that three gentlemen, Mr. Warburton, and the hon. Members for Bridport, had been, according to their own statement, guilty of a compromise. As far too as rumour was concerned, all parties were involved in the question of bribery, which was stated to have been resorted to by all. One of the hon. Members for Bridport spoke the other evening, when the question was being discussed, of the remarkable absence of the Member for Bath. Now, in the first place, he was labouring under severe indisposition—an excuse, if excuse were necessary, sufficient to account for his absence; and, in the next, he was confident that the House did not mean to impose upon him the calamitous obligation of listening to all the nonsense that was spoken on the subject of bribery in the course of these discussions. It was somewhat hard, therefore, that he should, by having absented himself on the occasion alluded to, have been subjected to the charge which had been made against him by the hon. Member. It had been his fate, as counsel in a court of law, to have seen many of his countrymen sentenced by law to transportation; but he had never heard it made matter of charge by a criminal in the dock that a counsel who had prosecuted on Monday was not present at a similar prosecution, in which he was not concerned, on the following Tuesday. He mixed up no private feelings in the case; he knew nothing of his own personal knowledge; he had no concern in the matter, and, so far as his interest was concerned, he could only say, that if the House did not see any difference between the case now before it and those other cases which had been disposed of by a reference to the committee, and if it should think that committee a fitting committee for conducting the inquiry, he should deem it his duty to bow to that decision.

Mr. *A. Cochrane* said, that he had no objection that the case should be referred at once to the committee, as proposed by the hon. Member for Liskeard. Indeed, he considered that discussions of this nature ought to be avoided, and that the sooner the case was so referred the better. He had not blamed the hon. Member opposite for absenting himself. [Mr. *Roebuck* informed the hon. Member he had not alluded to him as having said so.] The hon. Member for Bath had said, that there had been an admission of bribery on his part; but if the hon. Member looked to the petition he would find, not that he was charged with bribery, but that he had spent a sum of money which was unknown. With regard to the question of compromise, he was quite willing to refer it to the committee.

Mr. *Darby* did not consider this at all a personal matter, and he had very great objections to refer it to the committee. He must say, that in a matter of this importance the hon. Member for Bath had pursued a course which was hardly justifiable, for he first produced one motion and then another.

Mr. *Roebuck* rose to order. The hon. Member, he said, was introducing a question wholly irrelevant to that before the House.

Mr. *Darby* submitted, that he was perfectly in order. The course of the hon. and learned Member, he maintained, was hardly justifiable, and had been objected to by the noble Lord opposite. The hon. Member's first motion did not include the inquiry into bribery in boroughs; it merely referred to the question of compromise. Both the noble Lord (the Member for London) and the right hon. Baronet at the head of the Government said, that they could not consent to the inquiry into bribery, except so far as necessary to establish a corrupt compromise. The hon. Member, therefore, was not consistent in speaking of the defined powers of the committees, for he contended that those powers were totally undefined at the present moment. They were to have the power of inquiring generally, notwithstanding the objection made by the noble Lord and the right hon. Baronet. A motion was now made for inquiring into alleged bribery at Bridport. Before the case was referred to the committee, he wanted to know what the powers of the committee were to be. He was giving a reason why this debate should be adjourned. Until the powers of the committee were defined, he should object to the present motion; for he was convinced, if it were agreed to, the House would involve itself in an inextricable labyrinth.

Viscount *Sandon* said, the House had agreed to refer the question to a committee, and the only point now at issue was, whether the committee was to be the same committee to which the other cases had been referred. The point they must decide was, whether or not the cases were at all parallel. There were alleged compromises for concealing bribery in the cases already referred. He made no charge against either of the sitting Members; but the late Member, Mr. Warburton, admitted the fact, that he did retire to prevent an investigation into bribery which had taken place in the borough of Bridport, and no one denied it. He thought, therefore, that Bridport fell precisely within the category of those places whose conduct the House had already agreed to refer to the hon. Member for Bath's committee.

Mr. *Roebuck* really must be permitted to say a few words on the charge which had been brought against him, of acting unjustifiably by the House, and he did trust hon. Members would bear with him whilst he said a few words in his own justification. What was the charge? It was, that he had made a motion in terms complained of as not sufficiently definite. When he had heard that complaint made he immediately attempted to render the motion more definite. The motion as it was re-worded was also complained of. A third attempt was made, and the motion, with some alterations, was agreed to. Every Member was present at that time. They were there with their eyes wide open —they were there with their ears erect—they were there with their minds clear to judge and to decide. One hon. Member who had taken part in that debate (Sir J. Walsh) had even specially spoken of the case of this very borough of Bridport. Now, the House being full, all attention being excited, no confusion prevailing, but, on the contrary, there being a perfect and clear understanding upon the case, how could he be said to have done anything that was liable to be styled unjustifiable? The right hon. Baronet had assented to the motion at the time, and he had never heard him say that he had found cause to quarrel with it since. No objection whatever was made to it, except by one hon. Member, the hon. Member for ——; he forgot where he sat for now, but formerly he was Member for the borough of Sudbury; therefore, he must say, that he thought he stood fully acquitted from this charge before both the House and the country. There were present the noble Lord the Member for London, and the right hon. Baronet—there were all those whom he now saw before him—all clear-sighted and cautious politicians, and yet they said that he had not only obtained his committee unjustifiably, but that he had absolutely palmed it upon them against their better judgments. Really such an accusation as this he could not pretend to understand.

Mr. *Darby* said, the hon. Member was rather too sensitive. He had not attributed to him that he had palmed anything whatever upon the House, but what he had taken objection to was his pressing forward his motion in an overhasty manner.

Sir *J. Walsh* said, that in a previous part of the debate he applied the word "unjustifiable" to the hon. Member. What he had meant to convey by it was, that the hon. Member, when he brought forward his motion, changed the words very frequently; and he must be permitted to observe, that the right hon. Baronet at the head of the Government had been understood by many to object to the motion on the ground of its indistinctness. He really did not think the House was now prepared for another change, which, instead of more strictly defining the terms on which the inquiry was conducted, opened the door still wider.

Motion for the adjournment withdrawn, and the House divided on the original motion,—

"That such inquiry be referred to the Select Committee appointed to inquire whether such compromises have been entered into, and whether such bribery has taken place in the towns of Harwich, Nottingham, Lewes, Penryn and Falmouth, and Reading."

Ayes 44; Noes 16: Majority 28.

List of the Ayes.

Acland, Sir T. D.
Aglionby, H. A.
Baring, hon. W. B.
Blackstone, W. S.
Bodkin, W. H.
Bowring, Dr.
Brotherton, J.
Christie, W. D.
Clerk, Sir G.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir C. E.
Duncombe, T.
Evans, W.
Gill, T.
Graham, rt. hon. Sir J.
Granger, T. C.
Greene, T.
Hervey, Lord A.
Hill, Lord M.
Hodgson, R.
James, W.
Jermyn, Earl
Knatchbull, rt. hn. Sir E.
Layard, Capt.
Lincoln, Earl of
Lowther, J. H.
Mangles, R. D.
Martin, C. W.
Morgan, C.
Murphy, F. S.
Napier, Sir C.
O'Connell, M. J.
O'Conor Don
Pakington, J. S.
Parker, J.
Plumptre, J. P.
Roebuck, J. A.
Sandon, Visct.
Sutton, hon. H. M.
Tufnell, H.
Wood, B.
Wortley, hon. J. S.
Wynn, rt. hn. C. W. W.

TELLERS.
Buller, C.
Hawes, B.

List of the Noes.

Allix, J. P.
Bankes, G.
Escott, B.
Ferrand, W. B.
Henley, J. W.
Lockhart, W.
M'Geachy, F. A.
Manners, Lord J.
Neville, R.
Newry, Visct.
O'Brien, A. S.
Pollington, Visct.
Rushbrooke, Col.
Scott, hon. F.
Smythe, hon. G.
Walsh, Sir J. B.

TELLERS.
Darby, G.
Bagge, W.

House adjourned.

HOUSE OF LORDS,

Thursday, June 2, 1842.

Minutes.] Bills. *Public.*—$1^{a.}$ Property Tax; Perpetuating Testimony; Preserving Evidence on Pedigrees.

Reported.— Law of Evidence Improvement.

Private.—$1^{a.}$ Dundalk and Bannbridge Road; Cambuslang and Muirkirk Road; Gravesend Terrace Pier; Tadcaster and Otley Road; Calland's Estate (Higgen's); Mostyn's Estate; Lord Sherborne's Estate; Bishop of Derry's Estate; Viscount Lorton's Estate.

$2^{a.}$ Drogheda Harbour; Indemnity Mutual Marine Insurance Company; Great North of England Railway; Gibson's Estate; Duke of Bridgewater's Trustees Estate (Archbishop of York's).

Reported.—Saundersfoot Harbour (specially); South Metropolitan Gas (specially); Liverpool Health of Town and Buildings' Regulation.

Petitions Presented. From Killaloe, Knockbride, Osomeloe, Temple Michael, Kilcolgan, and other places, for the Encouragement of Schools in connexion with the Church Education Society (Ireland).—From the Guardians of Castle Blayney Union, for Inquiry into the Proceedings relative to the Building of the Workhouse.—From the Leicester Mechanics Institute, that such Institutions may be Exempt from the Payment of Rates and Taxes.—From the Boot and Shoemakers of Downham Market, against the Income-tax, and the Tariff.—From Bradford, Bolton, Oakenshaw, Calverley, Chipping Wycombe, Pudsey, Allerton, Idle, Hemsworth, Clayton, Thornton, Tong, and other places, for the Repeal or Alteration of the Poor-law Amendment Act.

Attack on her Majesty—Answer to the Address.] The *Lord Chancellor* said, he had to inform the House that her Majesty had graciously received the joint address of the two Houses of Parliament, and had returned the following most gracious answer:—

[For the answer, see *Commons, June* 1, p. 1057.]

On the motion of the Lord Chancellor, her Majesty's most gracious answer was ordered to be printed and published.

National Distress.] Lord *Kinnaird* rose, pursuant to the notice he had given, to move for the appointment of a select committee to inquire into the distress which prevailed so generally in some of the manufacturing districts of the country, and more especially to enable their Lordships to form a judgment as to the cause of the distress. He almost regretted that he had undertaken this task, as he felt that he was not fit to enter before their Lordships into a subject of such importance. He could have wished that the question had been brought forward by some noble Lord whose knowledge and experience would have given that weight to the motion which he considered its great importance demanded. The necessity for strict inquiry into the causes of the distress was made apparent by this fact, that so many and such contradictory statements had gone abroad respecting it that many, in and out of that House, were ignorant of its extent. While residing in their mansions at the west end of the town, their Lordships saw little of the misery which existed in other parts of it; and when they went down to their country seats, seeing only the smiling faces of their cleanly cottagers, what could they know of the severe sufferings in immediately adjoining districts? Impressed as he was with the great extent to which distress had spread amongst the working classes in many parts of the country, he felt it his duty to state to their Lordships a few facts—and they should be very few—which had come to his knowledge, which he considered of the deepest importance. The distress which now prevailed commenced in the year 1828. It began, as it usually did, with the lower classes. It was now approaching the middling classes, and that it would reach the agricultural classes before long he had no doubt whatever. Her Majesty's Government were fully aware of the great extent to which the distress had spread, or they never would have advised her Majesty to issue such a letter as that which had lately been sent to the Archbishop of Canterbury, authorizing the begging for funds to assist the suffering poor. The issuing of that letter was of much greater importance than would appear at first sight. For his part, he did not approve of it on many grounds. The extent of the distress might no doubt have called for some such aid, but he doubted the policy of the appeal, and he doubted still more the manner in which it was made. In the first place, he objected to the appeal being made pointedly and exclusively to the Established Church. What the object of that exclusive application was he knew not. Why should the Archbishop of Canterbury, and through him the clergy of the Established Church, be addressed, and no application be made to any dissenting minister? Surely if such charity were necessary, it ought to be general. One fact alone, if indeed he sought any, would be sufficient to convince him that her Majesty's Government were fully aware of the extent of the distress, and he had called the attention of their Lordships to it the other evening. It was this:—it was the unconstitutional use made of the public money to choke and suppress any notice of the extent and nature of that distress. He would state it broadly, and it could be clearly proved, that money had been issued from the public Treasury—from what particular fund he knew not, in order to suppress and strangle the public exhibition of distress. Noble Lords might indicate surprise, but he asserted plainly and boldly that they had done so. That public money had been so applied to relieve distress was a fact which no man on the other side of the House would dare to deny. Another fact was this—that the military officers had got orders to have their troops prepared as for active service. It might, no doubt, be right to guard against danger. The fact he had mentioned was well known in the country, and in particular in the districts where distress prevailed, there was no doubt that some of those districts were in a dangerous state. He would do her Majesty's Government the justice to believe that they could not have been aware of the extent of the distress some ten months since, for if they had he could not suppose that they would have left the country without some remedial measure. That measure had not been applied, and because it had not he appealed to them on behalf of starving thousands. They had petitioned that House in numerous petitions signed by large bodies, by many, many thousands of starving artisans. They asked for the opportunity of proving not only the distress and its extent, but also its causes. They asked for cheap food. He regretted to say that their Lordships had turned a deaf ear to their prayer. "They asked for bread," said the noble Lord, "and you gave them a stone." They asked for cheap food, and your Lordships gave them the Corn Bill, one effect of which has been already a rise of 3*s*. in the quarter of wheat, and a further rise may be expected. This, the noble Lord went on to say, was the answer which they had given to the prayers of hundreds of thousands of their distressed fellow-countrymen. He feared the motion was to be opposed on the ground that the appointment of a committee would be holding out hopes that they would relieve the distress which now existed, and it had also been said that no advantage could be derived from an inquiry which must end in disappointment. This he did not think a valid objection. However much their Lordships might be persuaded that no practical good could result from inquiry, still, were they to concede it, the effect on the minds of those who sought it would be pacified. At all events, they would not be any the worse for having their grievances inquired into, even though no immediate measure of relief should result from it. But were their Lordships quite certain that no advantage would arise from the appointment of a committee? They all remembered the severe terms of condemnation which were applied by a noble Lord not now present (Lord Ashburton) to the report of the import duties committee; and yet now the Members of the Government in the House of Commons were continually referring to that report as an authority whenever they wanted to argue against their opponents, who, as it curiously enough happened, were chiefly found amongst their own friends. The publication of that report had been of the utmost importance, and if the committee had gone still further in their inquiries, it would have been attended with the greatest advantage. Another reason for not acceding to his motion might be that there was no necessity for it, inasmuch as the prospect of a reviving trade was most promising. He believed that the noble Lord the President of the Council (Lord Wharncliffe) rather held to that opinion: and certainly the accounts from Manchester within the last week were in a trifling degree better. But their Lordships would remember that about three weeks or a month ago the same thing took place at Liverpool, and on inquiry, it was found that owing to the very low price of the raw material, many persons were induced to speculate. But what was the state of the warehouses now? Instead of one side of the building being filled with the manufactured article, and the other with the raw material, there was never to be seen more than one of these in the same warehouse; either the building was overstocked with goods that could not be sold, or was filled with the raw material which it was not to the interest of the manufacturer to work up. The noble Lord the President of the Board of Trade had said, that when the fund about to be collected by means of the Queen's letter should be exhausted, it would be for their Lordships to consider what next should be done to relieve the distress of the poor. He would entreat their Lordships not to defer the day. The Poor-law was totally inefficient to support the destitute. In many places, the poor had been for a long time living entirely upon charity. Although the population had been annually increasing, the consumption of articles of the excise and customs had diminished, as he would show their Lordships. The noble Lord read the following paper:—

Date	Population.		Net Produce: Customs & Excise Tax.	Actually produced.
			£	£
1836	26,158,524	gave	36,392,472	
1837	26,518,885	should give	36,938,363	33,958,421
1838	26,879,246	—	37,484,254	34,478,417
1839	27,239,607	—	38,030,145	35,093,633
1840	27,599,968	—	38,567,036	35,536,469
1841	..	..	..	32,230,261
1842	..	..	..	32,340,739

But in 1840 the additional duty of 5 per cent. was imposed. If that had not been the case the receipts for the last three years (calculating the proportions) would have been:—

1840	£32,401,000
1841	30,753,000
1842	30,723,000

That proved that the means of the people had diminished to an alarming extent, for the revenue upon necessary articles had fallen off, while the population had greatly increased. With respect to the poor-rate, it was a curious fact that generally the amount varied according to the average price of wheat; but in the last year the poor-rate increased, although the averages were not so high as in the preceding year. He would take a parish which was neither manufacturing nor agricultural — he would take Marylebone, which, perhaps, was the most wealthy parish in the metropolis. In 1836 the poor-rate in that parish was 1*s.* 2*d.* in the pound, and the sum raised was 44,573*l.*; in 1840 the rate was 1*s.* 11*d.* in the pound, and the sum raised was 76,355*l.*; and it has increased since. It was found that when provisions were dear employment was scarce, and paupers increased; and the reverse was the case when provisions were cheap. He would now advert to a subject that was of great interest to their Lordships, as being the principle landowners in the country—he meant the consumption of wheat. The actual consumption of wheat had fallen off during the last three years to the extent of 1,361,252 quarters annually. He had been furnished with a very important document which had been prepared with the greatest care. It showed the quantity of wheat consumed from October, 1839, to May 1842, in separate periods of eight months each. The quantities of wheat sold in the 150 towns, from which the old averages were calculated, represented, as nearly as could be ascertained, one fifth of the whole quantity sold in the kingdom. The quantity sold in these 150 towns in eight months, from the 1st of October to the 1st of May of each of the three last years, was:—

Oct. 1, 1839, to	May 1, 1840	1840 to 1841	1841 to 1842
These multiplied by 5, show the sales in the kingdom	2,620,753 5	2,467,783 5	2,216,201 5
	13,103,765	12,338,915	11,081,005
To these quantities add the foreign wheat, which paid duty in each period	1,138,492	1,311,642	2,200,000
	14,242,257	13,650,557	13,281,005

In the two former years the foreign wheat was all consumed, and additional large quantities were delivered for consumption in May and June; but this year there remained in warehouse 400,000 quarters of foreign wheat which had paid duty. Thus the difference between the consumption in 1840 and 1842 was 1,361,252 quarters. The same result had taken place with respect to meat and other articles. The consumption of groceries and butcher's meat in Leeds was reduced one-fourth, but as the middle and lower classes probably did not consume less, the reduction had fallen on the operative classes; the consumption of butcher's meat was half what it was in 1834. In Manchester the receipts of the grocers and butchers had fallen off 40 per cent. in two years. In Rochdale the quantity of butchers meat was not half what it was in 1836. In Dundee, in 1836, the weekly number of cattle killed was 150; in May 1842, it was 71, being a reduction of 79, or more than one-half. The sales, of bread, butter, eggs, and sugar, was reduced to one half. The cheapest and coarsest food was about the same. The diminution in the consumption of meat was not from dearness of price, best meat from November, 1835, to May, 1836, being 6*d.* per lb. From November 1841, to March 1842, it was 7*d.* per lb., and from March, 1842, to this date, it was 6*d.* per lb. He was afraid he was troubling their Lordships too long, but he had a deep impression upon the subject, and, therefore, he ventured to caution their Lordships against the deep under-current, which was working in the country, of which the landed proprietors would be the first to feel the effects. These statements might be doubted, he was, therefore, anxious for a committee that he might show upon what grounds they were made. He would now call their Lordship's attention to the actual state of three or four of the principal towns in England, and to one or two in Scotland. Manchester had a population of 192,408

"The amount expended for the relief of the poor in 1836, 25,669*l.* In the year ending March, 1841, 33,938*l.* But this gives no idea of the extent of the distress. The rev. Mr. Hearne stated at the conference that in one district there were 2,000 families without a bed among them, and 8,666 persons whose income is only 1*s.* 2½*d.* each per week. The grocers, butchers, drapers, &c., state that their receipts have fallen off 40 per cent. within the last two years. The total number of patients admitted into the dispensaries in the Manchester district during the six years ending in 1835, was 54,000. The number admitted during the six years of dear food ending in 1841 was 169,000, an increase of more than 200 per cent. The deaths in the dispensaries during the six years of scarcity showed an increase of 1,175 over the mortality of the six years of comparatively cheap food, as the following table would show:—

MANCHESTER DISPENSARIES.

CHEAPER YEARS.

	Cases.	Deaths.
Begin. June 1832	29,893	987
— 1833	28,332	891
— 1834	23,652	680
— 1835	22,877	762
— 1836	23,262	872
— 1837	26,675	1,013
Total of six cheaper years	154,692	5,205
Mean ..	25,782	867

DEARER YEARS.

	Cases.	Deaths.
Begin. June 1829	23,621	1,074
— 1830	27,756	942
— 1831	30,150	921
— 1838	29,158	1,102
— 1839	28,242	1,190
— 1840	30,422	1,153
Total of six dearer years	169,349	6,380
Mean ..	28,225	1,063

The average daily number of prisoners in the New Bailey in 1836 was 539; the number has since gradually increased, and last year it was 722. The number committed for trial in 1836 was 1,031; in 1841, 1,992. Empty houses.—5,492 untenanted dwellings; 681 shops, offices, &c.: 6,173 houses, shops, &c., assessed at 76,168*l.*: 116 mills, works, &c.; idle, 10,926*l.*; total, 6,289, 87,094*l.* The steam power not at work is about 1,000 horse-power, the yearly value of which is much above 100,000*l.* of unproductive rateable property."

"In Bolton, containing a population of about 50,000, there are fifty mills usually employing 8,124 work-people; of these there are thirty mills and 5,061 work-people, either standing idle or working only four days a-week. Iron founders, engineers, millwrights, and machine makers.—In 1836, the number employed was 2,110; there are employed at present 1,325; discharged 785. Carpenters.—In 1836, the number employed was 150; at present they are reduced to forty-nine, leaving 101 who are permanently unemployed.—Bricksetters.—In 1836, the number employed was 130; at present it is reduced to sixteen. Stone-masons.—In 1836, the number employed was 150; there are fifty employed at present."

The estimated loss of wages in Bolton alone was 320,560*l.* in the year. What could any charitable collection do towards relieving so large an amount of distress? But this had not come upon their Lordships suddenly; it had been growing gradually. The spring trade had done wonders, and yet this distress existed. What had they to look forward to in the winter? Employment was out of the question. Their Lordships ought, therefore, to be prepared, because the local funds were nearly exhausted. These were able-bodied men who were destitute of any legal means of support, and the inhabitants of the town had no possible provision for them during the winter. There was another statement he wished to allude to. It had been stated that the guardians of the union of Burnley had represented to the Secretary of State that the distress was far beyond the reach of their means of relief; they had 12,000 persons on their books, and must leave the matter in the hands of the Government, for they had not wherewith to relieve them. Her Majesty's Government, it appeared, had considered this statement, and he was informed that they had sent down a special commissioner. Sir John Walsham who immediately applied for funds to meet the pressure of the moment, and a certain amount had been already sent. Now, when their Lordships reflected that the surrounding towns were nearly in the same state as Burnley, it certainly was a state of things which it behoved them to consider deeply. This occurred in England; in Scotland no assistance could be afforded to the able-bodied, for there were no workhouses. The same system had been acted upon there, and more especially with respect to Paisley. For the last three weeks, the poor there had been entirely supported by funds supplied by Government. Whence those funds came he knew not. It was public money, and he thought it was their Lordships' duty to know whence it came. At Paisley there was a commissioner-general, a commissioner-surgeon, and in short a regular establishment under the control of the Government. One curious circumstance was, that the relief committee of that place, who had distributed 25,000*l.* in supporting the poor, had been completely set aside, and the whole thing was now under the management of the Government. He would now for a moment advert to the declining state of trade in Scotland. The exports from Dundee had materially diminished. From the year 1827 to 1834, omitting the speculating years of 1835 to 1836, the shipments of linens increased on an average rate 29,405 pieces. In 1837 there were 717,070 pieces exported; there was a reduction, in 1839, of 19,775 pieces; in 1841, a further reduction of 29,457 pieces; and for the last eleven months, ending April, 1842, a still further reduction of 45,837 pieces, about the value of 90,000*l.* Of this deficiency at least 20,000*l.* consisted of wages. This diminution of exports must press very severely upon the people of Dundee, and he wished by means of a committee of inquiry to ascertain the cause. What was the reason our foreign customers no longer dealt with the manufacturers of Dundee? That could be ascertained by the examination of persons connected with those countries. More than one-fourth of the whole trade consisted in exports to the United States. Up to September 30, 1841, linens were admitted free, now they paid a duty of 20 per cent. *ad valorem*, and there was a bill before Congress to raise it to 30 per cent., with an additional 10 to countries which did not take their produce. This blow was evidently aimed at our Corn-laws. Our next best customer was Brazil, and we would not take Brazilian produce, except at with an enormous duty. We levied 63*s.* per cwt. on the sugar of the Brazils. As soon as our commercial treaty expired, which they said would be in 1842, though we contended it was not till 1844, they would retaliate upon us as they had done in the United States. He would once more refer to the case of Paisley.

> "The gross sum expended by the Renfrewshire relief committee, for procuring food principally, has been 25,000*l.* up to to about the 1st instant. This sum had been expended over four, and for a short time five villages in the county, besides the town of Paisley. During the worst of the distress in winter, the sum expended in food alone for Paisley was about 800*l.* per week, for the villages about 100*l.* per week. There has been a great deal of private charity by persons both resident and at a distance, and also a good deal of provisions distributed which are not taken into account in the gross sum stated."

It had been stated by one of the magistrates at Paisley, that one of the reasons why Government had sent down a commissioner was that they thought the local authorities had been rather too extravagant. But what had the commissioner done? He had cut off those villages from Paisley, and the consequence was, that in those places there were nearly nine hundred people going about in gangs with no means of subsistence—all the local subscriptions having ceased He had been informed that there were many industrious people who did not like being placed on the subscription list, and that in consequence of this a subscription had been entered into for the purpose of affording them temporary sustenance by way of loan. 5,000*l.* had been collected for this purpose; and it seemed that the relief committee, standing in need of funds, had applied to this other committee for a loan of part of the 5,000*l.* 1,500*l.* was lent to them; but as the committee was now broken up, of course this sum must be considered as lost. At present these persons were certainly supported from funds derived from he knew not what source. He trusted that the Government would give him some information on this point. He was aware that he was trespassing on their Lordships' time, but as the subject was one of great importance, he felt it necessary to detain their Lordships a little longer, and to call their attention to a very important statement. The return which he held in his hand of the condition of the township of Leeds had been obtained from persons appointed to examine into its state. It appeared that there were in the

WARD.	PERSONS.	RATE.	WEEKLY INCOME.
East	2,179	rate per head of	8¼*d.*
South . . .	363	—	8¼*d.*
North . . .	1,420	—	1s. 6½*d.*
West	802	—	1s. 3½*d.*
North-East . .	3,137	—	8¾*d.*
Mill-hill . . .	173	—	8¼*d.*
North-West . .	889	—	8⅛*d.*

The average of the whole being under 1*s.* per week for each person. At a very recent date about 9,000 persons had less than 1*s.* per head per week for all their wants.

	1840	1841	1842.
The sum paid to the poor in Leeds, in January	£1,044	£1,062	£1,336
To other poor in the township of Leeds	211	269	370
	£1,255	£1,331	£1,706

It thus appeared that there had been an increase in the poor rates of nearly 50 per cent. Nor was the distress confined to one class. Every trade was in a distressed state. He asked their Lordships whether any thing had been done towards either inquiring into or meeting that distress? It had not come unawares upon them, for it had commenced so far back as 1828; and at the close of the last Session of Parliament he had taken the liberty of calling the attention of the noble Duke opposite to the subject. He did not pretend to say that Government could be expected to relieve the distress at once, because it was not, in his opinion, a temporary distress, but arose entirely from the mischievous operation of their commercial law. But what had been done since that time? They had passed a Corn-law, the result of which had been to raise the price of wheat 3*s.* per quarter. They had also resorted to an Income-tax, than which nothing in his opinion could be more absurd under the present circumstances. It was admitted that the means of the consumer were exhausted, and he would like to know when they called on the people to put down so much out of their income, how they were to do it without making matters worse? He believed that a great many in this country lived up to their income; and in order to pay the tax they would have to reduce their expenses. Whatever amount they took in the shape of taxation, they would diminish the means of employment, so that when men were suffering from want of employment and from the want of means to purchase food, they would still further increase that distress by taking away the means which would have otherwise been expended in giving employment to the working classes. The next measure of the Government was the tariff, the principle of which he thought would puzzle the wisest man. It was impossible to say what the tariff would be. Various deputations from the different trades had come to London for the purpose of representing their cases to the Government. He knew of one party who had been endeavouring to make what they call a bargain, and who, in regard to one article, had concluded a bargain on their own terms. Look to the duty proposed on coals. At first a four-shilling duty was proposed. This was a most improper tax, because coals were a manufactured article. It appeared, however, from representations made, that the duty was to be reduced to 2*s.* Perhaps it might yet be reduced to 1*s.* He would be glad if it should be so; but at the same time he thought that these alterations only showed that it was impossible to understand the principle on which the tariff was framed. In addition to this he looked to the uncertainty which prevailed in trade in consequence of the tariff. Confidence had been entirely destroyed throughout the country, and it would take a long time before anything like certainty could be established. It interfered with the small monopolies in trade, with the monopolies in such articles as shoes and gloves; just at the time when those trades were suffering under great distress it did this, and created a deficiency in the revenue in order to keep up the great monopolies of sugar and corn, which, if not abolished, would prove most injurious to the commerce of the country. On behalf of the thousands who were now suffering great distress, he called on their Lordships to grant them an inquiry. The patience of the people had been extolled, but not more than it deserved. He had lately asked a gentleman connected with a town in which distress existed, how it was that the people had borne their sufferings with such patience, for he thought that if he had seen his children perishing around him from want—if he had seen the felon in gaol better treated than the person willing to work—sooner than submit to this, he thought he would have gone and helped himself. [*Laughter.*] This might be a laughing matter to their Lordships comfortably seated on these benches, but it was no laughing matter to those who suffered from the distress. When he asked that Gentleman how it was that the people had been so patient, he was answered,—

> "If the bread had been taken from you suddenly, you might have gone and helped yourself; but if you had been gradually reduced to starvation, and weakened from not getting food sufficient to support the energies of nature, you would have become reckless, and would not have cared to see your children perishing around you."

Now this, he believed, was the truth—the horrible truth. He deeply lamented it, and he only wished the committee which he intended to move for would visit those scenes of distress, and become convinced of the unexaggerated sufferings of those unfortunate individuals. He would willingly adopt any mode of inquiry which their Lordships might think fit to recommend. The right hon. Baronet at the head of the Government had maintained the necessity of having extended markets, in order to relieve the pressure on the commerce of this country. He had lately been in communication with a person connected with the American trade, who had travelled through all the United States, and who had assured him that the openings in that country for the manufactured goods of England were quite beyond belief. Along the banks of the Mississippi and the Ohio there were several states with an aggregate population, in 1840, of 5,499,892. Of these states two grow principally cotton for the market of this country; the others were purely agricultural states, manufacturing nothing, except some coarse stuff, used for trousers. The produce of these states was carried down on rafts to New Orleans, to be exchanged for manufactured articles, and it was here that, in the opinion of those connected with the trade, an opening existed for the manufactures of this country. A great part of the produce brought down to New Orleans consisted of flour, which was often kept there until it turned sour. When the Corn Bill was under discussion in that House, he had some intention of proposing that this sour flour should be admitted into this country duty free, not for the purpose of its being made into food for the people, but for the use of manufacturers, who annually consumed almost a million of quarters in the dressing of their calicoes and other articles of manufacture. He thought, that this sour flour would have answered the purpose of the manufacturers, but as any alteration made in the Corn Bill would have been fatal to it, he knew he had no chance of succeeding in his object, and therefore relinquished his intention. But the admission of even a million of quarters of this sour flour would be the commencement of a trade with the southern parts of the United States. At present the trade there was principally with Germany and France, both of whom could undersell this country, and both of whom had more ships trading with that part of America than England had. He thought it would be of vast importance, therefore, to establish a trade of this sort. It would be the surest guarantee of peace between the two countries. All he asked them to do was, to relieve this country from the pressure of selfish imposition, and to free honest industry from the fetters restricting it. The people did not ask for charity—they sought to be allowed to carry their labour to the best market; and he thought their Lordships could not refuse them their request, without incurring a fearful responsibility. He felt sorry at having detained their Lordships so long, but he would now conclude by moving that a select committee be appointed to inquire into the cause of the present general distress.

The Duke of *Wellington* had no intention to follow the noble Lord through all the details of his speech. The noble Lord had dwelt at considerable length on the distress existing in the country. No one doubted the existence of such distress, particularly in the manufacturing districts. He objected in some degree to the observations which the noble Lord made in the early part of his speech, with reference to the measures which her Majesty's Government had thought proper to adopt with the view of relieving the distress at present prevailing in the country. He was ready to admit, that it was not exactly consistent with principle to interfere with the ordinary and recognised mode of administering to the relief of the distressed—to send down to any particular district pecuniary assistance; although he was prepared to allow that such a practice would be attended with injurious consequences if frequently had recourse to; still it must be remembered, that the mode of relief had been adopted at different times under special circumstances. The law recognised the principle, although it fixed on particular localities the necessity of providing for the distressed residing within particular districts; but should these localities be unable to relieve the distress which prevails, then it was the duty of other parts of the country to come forward for that purpose. In Scotland, as truly stated by the noble Lord, the relief afforded by the levy of rates was not so extensive as it was in this country; therefore a large subscription was raised in this country for the purpose of administering to the wants and necessities of a portion of the population of that country. As the fund which had been raised was nearly exhausted, the Government thought it prudent to adopt other measures to extend relief to the country. Their Lordships should remember that Scotland was not the only part of the country which required relief. With the object of alleviating the distress, her Majesty's Government had suggested, that a letter should be written by her Majesty to the Archbishop of Canterbury, which was to be read in every church, calling upon the benevolent and charitable to come forward to the relief of the distress prevailing in every part of the country. He thought, that the noble Lord had approved on a former occasion of that appeal. The noble Lord now objected to it, and for what reason? Because the letter was confined to the Archbishops, Bishops, and clergy of the Church of England. The noble Lord thought, that other congregations not in connexion with the national establishment, ought to have been called upon to raise subscriptions for the relief of the country. The noble Lord complained of the improper influence which he said had been used. He was not aware, that it had been customary for her Majesty to adopt any other mode of calling upon her subjects to relieve the distress of the country under circumstances like those at present existing. On a former occasion, her Majesty had herself subscribed handsomely, thus giving an example to her loyal subjects, which he hoped would be liberally followed. He did not think, that the noble Lord had any right to complain of any undue influence having been used. If such a mode of procedure was necessary—if relief was to be obtained by voluntary subscriptions, it could only be effected in the manner recommended by the Government. The present state of distress was admitted by the Members of both Houses of Parliament. The noble Lord said he wanted a committee to inquire into the causes of that distress—a committee before which he wishes to submit his calculations and documents. It was the usual practice, when a noble Lord moved for a committee, to state for what object that committee was to be constituted, and what facts it was to inquire into. It appeared, however, that the noble Lord merely wished for the committee, for the purpose of laying before it his calculations and schemes with the view to the repeal of the Corn-law—that Corn-law which their Lordships had only recently passed through Parliament. He submitted to their Lordships, that if that law was to be repealed, the noble Lord ought to introduce a bill for that purpose; but he entreated their Lordships not to consent to a committee which would sit day after day to examine into the noble Lord's calculations and theories, with no other object in view but to alter or repeal the Corn-law, which had so recently received the sanction of the Legislature of the country. If that law was to be repealed, their Lordships ought to have a full and fair discussion of the whole subject. He hoped their Lordships would refuse their assent to a committee, the only effect of which would be to excite the country on the subject of the Corn-laws. The noble Lord had blamed the Government for not having attended to the subject before—for not endeavouring to relieve the distress in the country. When did the present Government take possession of office? They came into power at the beginning of September. Since they had been in office, they had passed many measures of great importance and benefit to the country. He would refer to some of the measures of the Government, with the view of establishing that they had not been unmindful of the interests of the country. He would recite a few of the measures which this House had adopted, and which the other House of Parliament had passed, and which had become law, and then he would ask, whether it was fair on the part of the noble Lord to come down to that House, and bring forward such a motion, based upon such inconclusive arguments, and then to tell their Lordships, that he was not influenced by party feelings? The noble Lord said, that he found fault with no other measure of the Government except that which related to the Corn-laws. He would remind the House of a measure which had passed the other House of Parliament, and which would shortly be under discussion in that House— a measure adopted for the purpose of removing the financial difficulties with which the country had been involved. That measure would also have the effect of increasing the finances, and raising the credit of the country—of enabling the country to pay the interest of the national debt. It was his hope, that the measure would restore the finances of the country, and place them on that basis upon which they ought always to stand. The measure would also have a beneficial effect upon the commerce of the country, and thus establish the public credit. He anticipated the most happy results from the measure to which he referred, not only upon the commerce and trade, but upon all the great interests of the country. The sum which would be obtained by the proposed Income-tax would enable the Government to repeal many taxes on articles of general consumption. It also would give the Government the power of repealing the duties on the raw material of manufacture, and in this way the manufacturer, and the manufacturing interest, generally, would be considerably benefitted. The noble Lord had stated, that but little benefit would accrue to the country from the proposed tariff. He would ask the noble Lord to consult with his friends before he made such an assertion. The effect of the tariff would be to improve to a vast extent the commerce and trade. But that was not all. The noble Lord stated truly, that the evils suffered by the manufacturers, and by the people generally, was to be traced to the pressure on the commerce of this country. The noble Lord said we wanted an extended market; our distressed condition was owing to that, and to nothing else. The alteration proposed in the tariff would enable the British merchant to bring many articles into the market which were formerly prohibited. The duties on these articles were to be generally reduced, and conquently the consumption would be greatly increased. He maintained, that if these effects were to follow the operation of the tariff, then he was justified in asserting that considerable relief would be afforded to the manufacturers, and to the consumers generally. At the commencement of the Session Her Majesty had declared, in the speech from the throne, that the Government was engaged in negotiating certain treaties of commerce with other countries, with the view of relieving the commercial distress existing at home. The Government had been anxiously engaged in these negotiations, and it was hoped that in the course of time they would be definitely settled, and that the good which was expected from them would be fully realized. Independently of the treatise to which he had referred, the Government had been exerting its efforts with the object of promoting peace, and by so doing to extend the commerce of this country with other nations. Before the present Government came into office, peace had been, to a certain extent, restored in the Levant. Peace was now entirely established in that quarter. Peace had also been established in Spain, in Portugal, and in those parts of Asia under the government of this country as well as in central Asia. He entertained sanguine hopes that pacific relations with the Chinese empire would before long be restored. Attempts had also been made, and he hoped they would turn out successful, to settle those questions of difference which had so long existed between England and the United States of America and Canada. All these subjects had been the subject of negotiation during the few months the Government had been in office, all of which measures must eventually tend to improve the manufacturing and general interest of the country. He thought that the noble Lord might have considered these points, and have waited for a short period to see the effects of this measure before he moved for a committee to inquire into the existence of public distress. Were that motion agreed to, the effect would be, that great discontent would be excited throughout the country; one part of the community would be arrayed against the other, and the most melancholy results would ensue. The only object which the noble Lord appeared to have in view was to obtain a repeal of the present Corn-law. The speech which the noble Lord made would have done to preface a motion for the total repeal of all laws relating to corn. He again asserted, that if the noble Lord obtained his committee, and if that committee sat day after day, it would give rise to great excitement in the country, and thus obstacles would be thrown in the way of fully legislating on those measures which the Government considered it necessary to introduce in the present state of the country. He hoped their Lordships would refuse their assent to the motion, the only object of which was to effect a repeal of the Corn-laws.

The Earl of *Radnor* thought the noble Duke had not acted fairly towards the noble Lord in putting words into his mouth which he had not given utterance to in the course of his speech that evening. The noble Duke maintained that the noble Lord had no other object in view than a repeal of the Corn-laws. The noble Lord had not made any reference to that subject. ["Yes."] He did not think the Corn-law was mentioned. The noble Lord, considering the present amount of distress in the country, thought that an inquiry was necessary with a view to its relief. The noble Duke might consider that the distress arose from the Corn-laws, but that was not the question before the House. The question was one merely of distress. His noble Friend had satisfactorily established the existence of great distress; he had presented to the House a number of facts which clearly established the necessity of immediate and full inquiry. An allusion had been made by his noble Friend to a letter which had recently been issued to the Archbishop of Canterbury, and through him to the clergy of the establishment. His noble Friend considered that the measures resorted to by the Government would not prove adequate to the relief of the distressed condition of the country. The noble Duke asserted that his noble Friend wished to obtain a repeal of the Corn-laws. Should his noble Friend obtain a committee, and it was established that the Corn-laws were the cause of the present distress, then he (the Earl of Radnor) thought that the noble Duke himself would not refuse to vote in favour of the repeal. The noble Duke considered the Corn-laws had nothing to do with the distress prevailing in the country. When the former Corn-law was under discussion the noble Duke had eulogized it; now the noble Duke had repealed that law, and had substituted a new one in its place. The new Corn-law afforded no relief to the country. No foreign corn had been introduced; and, in fact, the law which had recently passed was more efficient than the old one in keeping out of the market foreign corn. The noble Duke has referred to the exertions of the present Government in establishing peace in different parts of the world since their accession to office. He believed it was pretty generally understood that this country was at peace before the noble Duke came into office, and therefore he did not feel disposed to give much credit to the present advisers of the Crown for the friendly relations which were maintained between this country and foreign states. Nevertheless, he was most happy to hear now, as he should be at any time, that peace prevailed in Spain and Portugal; but, as he before said, that peace was as perfect during the rule of the late Government as during the rule of the present. It happened, however, that amongst the beneficial results which the present Administration took credit to themselves for having produced, there was one which had not yet been brought about,—there had not yet been any alleviation of the distress of the people. The distresses of the country had gone on increasing for the last four years, and especially during the last nine months. He should not stop to inquire whether these distresses were owing to the Corn-laws, or whether they had their origin in any other source. The noble Duke told them to wait with patience till they saw the effect of the measures which were now before Parliament; but that, he could not help saying, was only poor consolation to people who were endeavouring to live upon 8½*d*. or 8¼*d* a week. His noble Friend had called the attention of the House to the sufferings of those unfortunate persons, and though his doing so might be attended with no immediate or substantial advantage, yet it would be some consolation to them to know, that their condition was not disregarded by either branch of the Legislature. It would be some consolation to them to know, that their Lordships had taken the trouble to inquire into their condition, and had evinced towards them something like commiseration and sympathy. He knew enough of the people to know, that they placed but little reliance upon anything which they thought to be a crotchet. Amongst the things called crotchet, he believed, that many were not indisposed to include some of the most favoured measures of the present Administration. Many amongst the people believed, that the design of the present Government was to set one class against another; and in connexion with this part of the subject, he must be allowed to say, that he thought the remarks of the Duke opposite were not well-timed, and would not be received favourably by the people at large, Noble Lords might think, that the agricultural interest endured at present a considerable degree of suffering, but he had no doubt, that the measures of her Majesty's Government would react upon them, and, without producing so much benefit to the commercial and manufacturing interests as they anticipated, would yet not serve the agriculturists even to the extent intended. He should certainly vote for the motion of his noble Friend, for he desired to give to the people at least that consolation and comfort which the adoption of such a motion might be expected to produce.

The Duke of *Wellington* had never said, that peace did not exist before the present Government came into office! what he said was, that peace had been made previously, but it had been consolidated since the resignation of the late Government. It was quite evident, that the object of the noble Lord's motion, was a repeal of the Corn-laws. It was not enough for the noble Lord to misrepresent him, but he appeared to wish to misrepresent his own noble Friend near him.

The Earl of *Radnor* said, he did not wish to misrepresent the noble Duke, he had a great respect for him, but surely it could not be doubted, that the object of the noble Duke was, to show that the measures of the Government would relieve the distresses of the people.

The Duke of *Richmond* had listened with great attention to the speech of his noble Friend, and he certainly must be allowed to say, that he thought the whole gist of his arguments was directed against the Corn-laws. When his noble Friend came to speak of the geography of the United States, he told the House, that there were districts in America which yielded great quantities of corn, cattle, butter, cheese, and other agricultural products. These the Americans, he told them, would willingly send to this country, and would receive our manufactured articles in exchange. Surely his noble Friend could mean nothing else by a claptrap of this description—surely he could intend nothing but to effect a repeal of the Corn-laws. He need hardly remind that House, that such a measure must be regarded as a great and important change, and he was sure there were no reflecting men in the country, who could regard extensive change with any other feelings than those of alarm. He felt for his fellow-creatures as much as any man, and he should be as anxious as any noble Lord then present, to agree to any motion calculated to afford them substantial advantage or even temporary consolation, but, he confessed his total unwillingness to agree to the appointment of a committee, unless he saw his way as to what would be the probable result of the labours of such a body. So far from alleviating, it would aggravate the distress of the people if the House were, without clearly seeing its way through some plan of operating, to appoint a committee such as that which his noble Friend desired. They might be told that, his noble Friend did not contemplate a repeal of the Corn-laws; but no one, who observed him during the present discussions could for a moment doubt that he was a most enthusiastic repealer of the Corn-laws, and for that, amongst other reasons, he should strenuously oppose the proposition which the House now had under its consideration. The noble Earl, who had just addressed the House, appeared strongly to censure the conduct of her Majesty's Government in sending down some damaged stores to Paisley. The noble Earl might think that wrong, but the people of England would think, that the Government were perfectly justified in the course which they had taken. Did any one suppose, that the responsible advisers of the Crown would be doing wisely or well, if they allowed the people of Paisley to starve on, till a motion could be brought before Parliament for money wherewith to relieve them? His noble Friend (Lord Monteagle) would recollect when he filled the office of Chancellor of the Exchequer, that larger charges of a similar kind were incurred for the purpose of giving relief to suffering portions of the people—that considerable efforts had been made by the Executive Government when his noble Friend was in office for the purpose of relieving the starving Irish. He did not forget that, with reference to the relief sent to Paisley, it had been made a matter of complaint, that the stores which the Government sent down were not placed at the disposal of the local committees, but intrusted to the commissaries appointed by the Government. He was clearly convinced that that was the proper course, and he entertained no doubt that the House generally were of the same opinion. The noble Lord had entered into several calculations for the purpose of showing that the consumption of wheat had diminished during the last three or four years; but the House would recollect that the manner of taking the averages had the effect of showing the quantities sold, not the quantities actually consumed. His noble Friend had said that the farmers of England were in the habit of making false returns—he did not think the farmers of England were capable of anything of the sort; so far from their making false returns, they did not make any returns at all—it was the buyers who made the returns. But there was one part of the calculations of his noble Friend which he did not understand. He had taken the 155 towns, on the returns from which the averages were founded, and he multiplied them by five; why he should have made that multiplication he professed himself utterly unable to comprehend. He did not attribute any motives to the noble Lord, but he could not refrain from saying that he had permitted himself to be made the tool of the Anti-Corn-law League.

The Marquess of *Clanricarde* observed, that his noble Friend had founded his calculations upon those of Mr. Tooke, an authority which the House would not be disposed to question. He thought it would be most unjust to set aside the motion of his noble Friend merely because it was supposed that the inquiry in which he intended to engage would develope facts calculated to show the working of the Corn-laws. If his noble Friend resolved to divide the House on the question he should certainly vote with him; but he must at the same time be allowed to say, that he would rather not give such a vote, and for this amongst other reasons—that the inquiries of the proposed committee would embrace a larger field than appeared to him expedient at the present moment.

Lord *Western* said, that after twenty-six years of peace it was most extraordinary that the responsible advisers of the Crown should find it necessary to have recourse to such measures as were at present before Parliament, and he therefore hoped that some inquiry would be instituted into the state of the country. He, nevertheless, thought that this was not the proper time for entering into such an inquiry, and he should, therefore, oppose the proposition of the noble Mover.

Lord *Monteagle* was quite ready to confirm the statements of the noble Duke with respect to the course pursued by the late Government in relieving the distress of the people. The late Government not only sent relief without Parliamentary authority, but intrusted the administration of that relief, not to the local authorities, but to persons of their own appointment. In those respects, therefore, the conduct of both Governments was alike, and this he conceived to be not open to any constitutional objection; for there always remained an unappropriated sum to meet contingencies, and respecting that sum there could be no doubt that the Executive Government possessed a discretionary power. He was bound to add, that if his noble Friend pressed his motion to a division, he must vote with him; but he hoped that no such disagreeable necessity would arise.

The Duke of *Wellington* observed, that on the other side it had been said, that the people had asked for bread, and that a stone had been given them, and that that stone was the Corn-law. In the same breath they were told, that they ought to grant a committee of inquiry into the general state of the nation. Now what could that mean, but that they were to grant a committee for the purpose of producing a report adverse to the Corn-laws? He wished to state more distinctly what he previously said. He stated that it was not fair to charge a Government with doing nothing when, after proposing several measures, he called upon the House to have patience and wait the results.

Lord *Monteagle* wished, in addition to what he had previously said, to state that there were many cases in which the Executive might meet a temporary distress of the severest kind by granting relief from the funds at their disposal, and experience had proved that their doing so in an unostentatious way produced results far more beneficial than could be expected from any motion made publicly in either House of Parliament, the notoriety necessarily attendant on which having always the effect of exciting expectations calculated to aggravate that evil which it should be the object of the Legislature, and the Government to alleviate.

Lord *Kinnaird* denied, that he had any intention of rendering the committee subservient to any inquiry into the Corn-laws. He would beg leave to withdraw his motion.

Lord *Fitzgerald* complained, that the motion of the noble Lord opposite should have given rise to a discussion in all respects so unsatisfactory. The noble Lord opened the discussion with an inconclusive speech, full of unauthenticated statements and inaccurate calculations, and he could not help feeling surprise that a noble Lord so intimately connected with Scotland should have thought it extraordinary that the Queen's letter, to which reference had been made, was not addressed to any but the Prelates of the Church of England. He should have known that the organ of communication between the Crown and the Church of Scotland was the Lord High Commissioner. The letter of the Queen to the English Prelates was not a begging application, but an order from the head of the Church to the dignitaries of that establishment.

Motion withdrawn.

Their Lordships adjourned.

HOUSE OF LORDS,

Friday, June 3, 1842.

MINUTES.] BILLS. *Public.*—*Reported.*—Incumbents Leasing.

3^{a} and passed:—Law of Evidence Improvement.

Private.—$1^{a.}$ Liverpool Borough Court; Burntisland and Granton Pier and Ferry.

$2^{a.}$ Caurin's Estate; Clerkenwell Improvement; Rouma's Naturalization; Lesbazeitle's Naturalization; Verconiu's Naturalization.

Reported.—Tyne Fisheries; Warwick and Leamington Union Railway (specially); Yate Inclosure; New Cross Roads; Birmingham and Liverpool Junction Canal; Stockton and Hartlepool Railway (specially); Liverpool Improvement (specially).

$3^{a.}$ and passed:—Sir F. Bathurst's Estate; Saundersfoot Harbour; South Metropolitan Gas; Liverpool Health of Town and Buildings' Regulation.

Committed.—Australia and New Zealand.

PETITIONS PRESENTED. By Lord Kenyon, from Peckham, and Bristol, for the Exclusion of Roman Catholics from Parliament.—From Colaton, Rowleigh, Abbeydore, Slaidburn, Lanmarton, Earnley, Llangnog, Stewkley, St. Kererne, King's Lynn, and other places, against any further Grant to Maynooth College.—From several Parishes of Norwich, for Inquiring into the course of Education pursued at Maynooth College.—From the Plymouth Mechanics Institution, that such Institutions may be Exempted from the Payment of Rates and Taxes.—By Earl Stanhope, from Oldham, Middleton, Elton, Kettleshulme, Rainou, Burnley, Blackburn, and Ashton-under-Lyne, for the Repeal of the Poor-law Amendment Act.—By the Earl of Roseberry, from East Dereham, against the Property Tax.—By the Bishop of London, from Clergymen in the West Riding of York, for a Limitation of the Hours of Labour of Children in Factories.—From the East-India Committee of the Colonial Society, for the Production of Papers explanatory of the Policy pursued towards Affghanistan.

AFFGHANISTAN—INDIAN AFFAIRS.] Lord *Beaumont* rose, pursuant to the notice he had given, to present a petition from the East-India Committee of the Colonial Society, the object of which was the production of documents regarding the origin of the war in Affghanistan. In laying this petition before their Lordships, it was his intention to confine himself as closely as possible to the motives which had induced the petitioners to approach their Lordships House, and the grounds on which they founded the prayer of their petition. The petitioners had applied their minds to the study of that portion of our policy in Central Asia, which affected our possessions in India, and they had observed with painful interest the gradual decline of British influence and a corresponding increase of Russian authority in those great Mahomedan nations which intervene and form the main barriers between the territories of the East-India Company and our ambitious rival of the North. Taking a retrospective view of events in those countries, they had witnessed a war between Persia and Russia by which the former country had been so exhausted of treasure and weakened by defeat, that on peace being concluded, she abandoned the defence of her north-western frontier, and relied on the forbearance of her late enemy rather than on her alliance with England for the maintenance of her position amongst the nations of Asia. Following up by able diplomacy what they had effected by open violence, the Court of St. Petersburg attained such an ascendancy in the councils of Teheran, that under the direction of Russia the Shah turned his views from the military organization of his western provinces to territorial aggrandizement on his Eastern frontier. Next in the course of events happened the war between Turkey and Russia; which war, after two well-fought campaigns, terminated in the treaty of Adrianople, the date, from which English ascendency ceases, and Russian influence becomes paramount in the Ottoman empire. Thus were two of the three great Mahomedan nations which intervene between India and Russia subdued to the power of the latter, and made subservient to her ambition. A third, the last barrier and defence of our Asiatic possessions remained. Though the Caspian had become like the Black Sea, a Russian lake; though the Persian flag was swept from its waters—though in Constantinople and Teheran the councils of Russia were predominant, a brave and independent people still existed on the site of the ancient Doorannee empire. That people, though nominally divided into distinct principalities, were one in feeling, in religion, and in habits. Herat, Candahar, Cabul and Peshawur might be called separate powers, but the bond of religion was so strong that an attack on the one was considered as an offence against all, and a Seik army could not pass the frontier without exciting the Mahomedan enthusiasm of the entire nation. Russia ever busy in pursuit of its ambitious designs, revived an obselete claim on the part of Persia to a portion of the Affghan country, and in spite of the remonstrances of England induced the Shah to undertake the siege of Herat. Beneath the walls of Herat the nucleus of an invasive army was formed, and Russian officers succeeded to the posts formerly occupied by Englishmen. Herat repulsed the army of Persia, but such was the influence of Russia, that Count Simonich prevailed on the Shah to return to the siege. Our hopes were now in the Affghan tribes, and with a little more energy on the part of the Indian government we might have succeeded in uniting in our favour the remnants of the Doorannee empire. Dost Mahomed was virtually the monarch of Cabul—to his court we sent an accredited agent—and by that act of sending Captain Burnes as our envoy, we acknowledged Dost Mahomed as the rightful sovereign of Cabul. That Prince had showed a disposition in our favour, he offered terms of alliance, and was willing to place his portion of Affghanistan as a barrier between India and Persian aggression; for unfortunately now the words Persian and Russian had become synonimous, and the deeds of the one were subject to the wishes of the other. Then was the moment for the Indian government to act, but, then, unfortunately a Russian envoy Captain Vicovitch, arrived at Cabul, and the Affghans were surrendered to Russian influence as the Turks and Persians had been surrendered before them. Instead of granting Dost Mahomed his terms, namely, the restoration of that part of Peshawur which had, been violently seized by Runjeet Singh we raked up a treaty which had been formed between the Chief of Lahore and the dethroned monarch of Cabul, Shah Soojah, and became a third party to its execution. Thus was Dost Mahomed, and with him the Affghan people lost to British interests, while Russia, ever ready to embrace every means of pushing on its ambitious views, eagerly sought an alliance with him whose friendly overtures we had disregarded. Deprived of all hope of support from the Mahomedan powers, and having neglected the friendly offer of a passage for our armies to the defence of Herat, we looked, as a last resource, to a new and neighbouring power, which under the genius of Runjeet Singh had risen as an independent nation in the Punjab. A tripartite treaty was signed, the parties being the dethroned monarch of Cabul, the Chief of Lahore, and the Governor-general of India. The object of that treaty was the invasion of Affghanistan and the restoration of Shah Soojah to the throne of Cabul; the means of its execution was an alliance with the Seiks, between whom and the Mahomedans existed the most deadly hatred. Runjeet Singh was to receive as the reward of his accession that portion of Peshawur of which he had unjustly robbed the Affghan princes, and England expected to establish in the person of the restored Sultan an effectual bar to Russian influence. Here he (Lord Beaumont) would pause in the narrative; it was not his intention to dwell on the brilliant success which attended our arms on their first invasion, nor to allude to the fearful disasters which followed in their subsequent retreat. These, he considered, as the chances of war, and however great our reverses might be, he doubted not the strength and resources of England to counteract and repair them. But it was not in respect of the conduct of the war, but of its origin that he asked for information. If it could be shown, that we had no other course to take but a union with Runjeet Singh—if we had no alternative but that of placing Shah Soojah on the throne—if the abandonment of Dost Mahomed could be proved as unavoidable if the absolute treachery of that prince can be proved by the documents withheld—then he would admit, that the Indian government was free from all charge of imprudence, and that what had happened in the sequel of our proceedings was only the chances of war, for recovering ourselves from which we had ample resources within our reach. And he might add, that this was a motive for the production of the papers which the petitioners prayed for—for, with the scanty means they now possessed, the petitioners could not ascertain to whom blame, if blame there was, should be attributed, or from what motives, much less on what foreknowledge, the disastrous war had been commenced. The object of the petition was information on which a correct judgment might be formed, and in justice to those concerned in the events, he (Lord Beaumont) thought that information should be given. It might, however, be urged against the petition that it was not usual to notify to Parliament by message a war in India; and that on the present occasion, the custom in that respect had been adhered to. He (Lord Beaumont) was aware, that by an act, Parliament had invested the President of the Board of Control with supreme power, for with him lay the authority to declare war or make peace, to form alliances, or draw up treaties with native princes, but as that authority proceeded from Parliament, Parliament had a right to examine into its use or abuse. It was their duty to watch with a jealous eye the exercise of that power which they had intrusted to the Board, and, if circumstances required, to call for such information as might enable them to form a correct estimation of it. Besides, this war was professedly undertaken against the designs of Russia, and was rather a quarrel between two European powers, than a mere division in the internal affairs of India. But even if these reasons be weak, and not sufficient to justify the petitioners, there still remains another which must have some weight with their Lordships. England has become liable for the debts of India, and whatever amount is drawn by the latter must be indorsed by the former. The Minister of the day has stated in another place, that the expenditure of India must be taken as a portion of the expenditure of this country, and that the financial arrangement of the two Governments are essentially united in one. If this is the case, and we are about to be burdened with an Income-tax and deluded by the tariff which is intended as a gilding to that bitter pill, the public surely are entitled to know the motives of a war, to defray the expences of which they contribute a considerable amount. On the ground, then, of our being called upon for this large addition to our taxes, he (Lord Beaumont) would rest the right which the public had to demand explanation as to the origin of this war, and though at present it might be inconvenient for the public service to produce the documents prayed for, it would be quite contrary to all Parliamentary usage if information on the subject were permanently withheld. He (Lord Beaumont) requested their Lordships to consider seriously the position which England now held with respect to other powers, and the position of some of those powers with respect to India; and he would then ask their Lordships if there were not sufficient grounds of alarm, as well as motives of national interest to induce the petitioners to ask for the fullest explanations of our past movements in Asia that can be given, without compromising the public service. Let them only contrast our present position with our position a few years ago, let them reflect on the changes which had taken place in Turkey, in Persia, in Affghanistan, on the shores of the Caspian, on the banks of the Black Sea; let them weigh well our loss of influence in all these quarters, and then, he believed, it would be allowed that the petitioners had made good their case for the production of all the documents regarding past proceedings in Affghanistan. He purposely abstained from passing any judgment—or pronouncing any sentence on the conduct of the public authorities in India; he did so, not only out of delicacy towards a noble Lord now on his way from India, but also in consequence of the incompleteness of the information on the subject; and in so doing, he concurred with the petitioners who at present merely asked for the documents which had been withheld, and fairly stated that they did so in order to form a just estimate of the recent policy and acts adopted and done by the authorities at home and in India. Notwithstanding all he (Lord Beaumont) had said, to justify the prayer of the petition, he was free to confess, that should the noble Lord, the President of the Board of Control declare that the production of the said documents would at this moment injure the public service, he (Lord Beaumont) would not press for them at present by giving notice of a motion on the subject; but would hold himself free and ready to adopt that course whenever the momentary objection had ceased to exist. Reserving, therefore, to himself the liberty of acting in future as circumstances might dictate, he would, on the present occasion, be content with reading the petition, and moving that it do lie on their Lordship's Table.

Lord *Fitzgerald* said, that before he made any observations on the petition which the noble Lord had presented, or called their Lordship's attention to its character, or to the source from whence it proceeded, bearing as it did the signature of one individual only, who called himself the president of a society of which he believed their Lordships knew but little—before he noticed these points, or rather without noticing them, for he passed them by—he might, he thought, presume that neither their Lordships could wish, nor could the noble Lord who presented the petition have well expected, upon the presentation of a petition upon which, with due discretion, the noble Lord himself proposed to found no motion, nor institute any proceeding, that he should follow the noble Lord, or accept the invitation which he had given to pursue him through the various topics which he had introduced. It would be for others, and not for him, when the question arose for the discussion of that policy, to defend the measures of the Indian government, and those proceedings by which the directions of the Home Government had been carried into execution in India. He was not called upon now to do so, and he should think it most unbecoming on his part, and particularly considering the situation which he held, and most unfair to those who were responsible for those measures, if he were to be induced, in the present imperfect state of our information from India, in the yet doubtful position of our army beyond the Indus, and of the manner in which that policy was pursued, and in which Indian affairs were now placed. It would, on his part, of all persons, be most unfair if he were to be induced, by any topic which the noble Lord had adverted to, to enter into a discussion which he considered to be most premature and ill-timed. It would be for those who had recommended that policy to defend it when it should be arraigned, and he should then not hesitate to express the opinion which he might fairly have formed upon it. It would be for others to defend the past policy, and it would be sufficient for the Government with which he was now connected to defend the policy, which they were prepared to recommend for the future, and to justify the course which, considering the difficulty in which India was placed, they should feel it their duty to recommend. But he must say, without entering into those large and comprehensive questions which the noble Lord had introduced, he thought the noble Lord had not done quite justice to those who had recommended the course that had been pursued, when the noble Lord stated, that Parliament and the people of England had been kept in entire ignorance either of the motives of the Government or of the justification of the views for which those operations were undertaken, or of the policy that dictated the course of the Indian government. Let him not be understood, however, as giving an opinion upon those questions; but he could not look at the papers now before Parliament—(it was not now the question that information was complete, or all that might have been given, or all that Parliament had a right to ask)—but he could not look at that compressed volume now lying on the Table, and believe with the noble Lord, that no information had been given to Parliament—no distinct view of the policy which the Government had pursued; still less could he agree with the noble Lord, after reading the declaration of the Governor-general of India with respect to his proceedings in Scinde, that the Indian government had kept the Government of England in doubt or ignorance as to the circumstances which dictated his policy, or as to the measures which he could bring forward in vindication of his conduct. The noble Lord had by his observations laid rather too broad a foundation for the superstructure which he afterwards raised; for it would hardly be believed, except by those who had listened to the noble Lord's speech, and heard the motion with which he concluded, that upon the presentation of a petition from a body of Gentlemen, directed and influenced, no doubt, by the purest and most patriotic motives, the noble Lord had himself favoured the House with a review of the whole policy of England as connected with Russia, with Turkey, with Central Asia, and with various other branches of the subject upon which he had dilated, but, concerning which, the noble Lord must himself feel that this was not the most convenient mode for entering into a discussion. But when the noble Lord alluded to the position and relation in which this country stood with Russia, he while declining to enter upon the several topics to which the noble Lord had invited him, must say, that the opinion the noble Lord had expressed with respect to the hostility of feeling on the part of Russia towards this country, and the apprehension he entertained with respect to her spirit of aggression, was an opinion and a fear in which, at least, her Majesty's Government did not share. He was desirous of not going back to occurrences which it would be competent for others to defend whenever Parliament should be called upon to decide upon their merits, but this he must say, that there never was a period—as had been more particularly evinced in the settlement of the questions affecting Turkey and the affairs in the East—when, unfortunately for the noble Lord's argument, the relation between Russia and Great Britain had been more confidential and amicable than at this moment. When the noble Lord stated that we had more reason to fear the machinations of Russia against this country at Teheran than in any other quarter, he was sure the noble Lord would be glad to hear what must remove the fears which now disturbed his repose, that at no period not only were the relations between Russia and Great Britain more intimate and amicable than at present, but that there was no court in the world at which the diplomatic agents of both countries had been acting with more cordiality and unison than at the court of Teheran. Not only had the resumption of our amicable relations with Persia been mainly assisted by the intervention of the Russian government, but, from the commencement of our communications with the court of Teheran, the most uninterrupted harmony had prevailed between the Russian and British Governments; and he trusted that harmony would continue to prevail, thereby giving an assurance of the union of two great empires, whose union and accord was necessary for the preservation of peace in the East, as a good alliance and a good understanding between them was essential to effect and maintain the peace of the world. He had thought it necessary to mention this, not only in justice to those to whom the noble Lord had alluded, but to allay the apprehensions which must have influenced the noble Lord's mind as to the spirit of aggrandisement on the part of Russia, before he addressed the House. Having stated thus much, he should do wrong if he did not abstain from further observations. He thought, in common with his right hon. Friend in another place, that it was most desirable that all discussions upon the affairs of India should be postponed. It must be prejudicial to the Indian government, as it would necessarily call for the announcement of opinions and of measures which, upon a discussion of that nature, Parliament would have a right to expect and demand from the Minister of the Crown, but which it would be inconvenient and unsafe to give, and which in the present state of our information, he did not think any responsible servant of the public was competent to give. Upon these grounds he should deprecate any discussion of this sort at the present moment. Had the noble Lord asked for papers which he might have conceived had been improperly withheld, then it would have been his (Lord Fitzgerald's) duty to have expressed an opinion as to the expediency of producing them. And, by the way, he could not but observe that it was the duty of one public man towards another, he might almost say of one gentleman towards another, for him to declare, when his official information empowered him to do so, that he thought nothing more unfair than to charge those with anything like interpolation or unfairness who, in their responsible situation, had produced papers in a certain manner. It was due to them that he should say that, having had access to all the papers in question, he could trace no intention improperly to withhold information, and that if any had been withheld it had been done upon their view, and for which they were responsible, of the exigency of the public service. If the noble Lord had made a motion for the production of other papers, he should have been prepared at this time to resist it. It would be inconvenient in the present state of circumstances, and prejudicial to the public interest to produce them. He had studiously guarded himself against giving any opinion upon the measures which the Government had taken, or might think it right to take, in relation to affairs in India. He trusted the noble Lord would adhere to the course he had last suggested, and not think it necessary to renew a discussion which at this time it was most desirable for the public interest should be avoided.

Lord *Beaumont*, in reply said, that he had not asserted that the papers had been interpolated, but that portions had been suppressed, or more properly speaking, withheld. As to the assurance, the noble Lord had given him of the close alliance between England and Russia, he (Lord Beaumont) assured his noble Friend in return, that so far from that circumstance tending to allay his (Lord Beaumont's) alarm, it tended to increase them, inasmuch as he could not account for the great friendship existing between the two countries in Europe and the great mutual jealousy, if not hostility, evident between them in Asia.

Lord *Fitzgerald* did not deny that papers had been withheld, and which on a former occasion it might be proper to produce. He had not imputed to the noble Lord the making accusations against the late Government of interpolating the papers. What he said was, that in other quarters he had heard the charge made.

Petition laid on the Table.

House adjourned.

HOUSE OF COMMONS,

Friday, June 3, 1842.

MINUTES.] BILLS. *Public.—Reported.*—Tithe Commutation; Public Houses.

Private.—2°. Blackburn and Chorley Road.

Reported.—Lough Foyle Drainage; Lincoln Roads; Brentford Gas (recommitted); Camberwell and Peckham Lighting; Cass's Estate; Thames Haven Dock and Railway; St. Pancras's Improvement; Metropolitan Patent Wood Paving Company (No. 2); Ely Place Improvement; Deptford Pier.

3°. and passed:—Boston Harbour (No. 2); Burntisland and Granton Pier, Ferry, and Road; Liverpool Borough Court.

PETITIONS PRESENTED. From Manchester, and Sheffield, for Admitting Foreign and Colonial Sugar at the same Rate of Duty.—From the Rev. Joseph Salt, in Favour of the Incumbent's Leasing (No. 2) Bill.

BELFAST ELECTION COMMITTEE.] Mr. *Hayter* as Chairman of the Belfast Election Committee, brought up the Report which stated that the committee were of opinion that James Emerson Tennent, esq., and W. G. Johnston, esq., were not duly elected as burgesses in Parliament for the town of Belfast; that the last election for the borough of Belfast was a void election.

To be entered on the Journals.

NEW POOR-LAW.] Mr. *Stuart Wortley* wished to put a question to the right hon. Baronet the Secretary of State for the Home Department, connected with one of the provisions of the measure he had proposed for making some alteration in the Poor-law Amendment Act, on which he had reason to believe that great misapprehension prevailed in different parts of the country. In the original Poor-law Amendment Act, by the intepretation clause a general order was defined to be one that the Poor-law Commissioners were empowered to issue to more than one union at a time, and that any order of the kind should come under the inspection of the Secretary of State for the Home Department, and be reported to Parliament. In a clause in the new bill, enacting certain alterations in the law, the power of the commissioners with respect to issuing such orders was restricted. He had reason to believe that this clause had produced an impression, that by it these general orders would be made universally applicable, and that they would take effect where they did not now take effect under the existing law. It was therefore desirable that the right hon. Baronet should state distinctly the real intention of this provision of the bill.

Sir *J. Graham* replied that the only alteration which was proposed in the clause alluded to by his hon. Friend, was to limit the power of the commissioners. The question related to the necessity of the assent of the Secretary of State being given to a certain description of orders. The change which he proposed was, that where the order was of a general nature, that there should be no order in a special case put in form, without the assent of the Secretary of State. The practical effect of this alteration would be manifested in a great many cases which were not now included in the general orders.

Mr. *Stuart Wortley* wished to know whether it was intended to extend the power of the commissioners in making orders?

Sir *J. Graham:* On the contrary; the clause alluded to would have the effect of limiting the power of the Commissioners in making orders?

DISTRESS IN THE MANUFACTURING DISTRICTS.] Mr. *Cobden* wished to ask if the right hon. the Secretary for the Home Department had received any intelligence of the great increase of distress in the manufacturing districts, and whether a commissioner had been sent down to inquire into the circumstances; and also whether a sum of money had been sent down in aid of the rates?

Sir *J. Graham* replied, that the Government had received information of the very severe distress existing at this moment amongst the hand-loom weavers of Burnsley and its neighbourhood, and that upon the whole the reports which existed were not exaggerated. Under these circumstances, her Majesty's Ministers thought it advisable to direct the Poor-law commissioners to send down an assistant commissioner to investigate the matter. He had further to state to the hon. Gentleman that no money had been sent down by the Government in aid of the poor-rates. A sum of money had, however, been sent down, being part of the charitable subscription for the relief of the distressed manufacturers.

PLACARD ISSUED AT MANCHESTER.] Mr. *Ferrand* wished to put a question to the right hon. Baronet. He understood that the Anti-Corn-law League had issued a placard of a most inflammatory nature, and employed a number of men at Manchester, at 1*s.* 6*d.* a day, to carry it about the streets of Manchester. Others had also been employed to circulate it. This placard charged the right hon. Baronet at the head of her Majesty's Government and his Colleagues with being guilty of murder. He wished to ask the right hon. the Secretary for the Home Department whether he intended to take steps to put down a placard of such an inflammatory nature.

Sir *J. Graham* had seen the placard alluded to, which was certainly couched in terms of great violence. It appeared that there was no name of a printer to this paper, and he could not tell by whom it was circulated. As for any steps that were contemplated by the Government, he had great pleasure in saying that, notwithstanding the great distress which prevailed in the manufacturing districts, the people had endured it with so much patience, that there had been no breach of the peace whatever. He, therefore, could state that the Government did not intend to take any notice of the placard.

Mr. *Hume* wished to know on what authority the hon. Member asserted that this placard had been issued by the Anti-Corn-law League?

Mr. *Ferrand* said, that he had stated so on the authority of a highly respectable gentleman of the neighbourhood of Manchester, and that person informed him that the Anti-Corn-law League paid the men their wages for carrying about their placards affixed to boards.

Mr. *Hume* had received a copy of the placard alluded to, which had been sent to him by a member of the Anti-Corn-law League, who expressed his deep regret that any persons should have issued such a document. He thought that the hon. Gentleman, in common justice, was bound to give up the name of the person who had thus so grossly libelled the Anti-Corn-law League.

Mr. *Ferrand* did not think that he should be justified in naming the individual. Did the person who corresponded with the hon. Member for Montrose deny that the Anti-Corn-law League issued this bill.

Mr. *Hume* stated that his correspondent distinctly denied it. This was not, however, an answer to the question which he had put to the hon. Member. If the hon. Gentleman did not give the name of his informant the charge would be said to have originated with the hon. Member himself.

House in committee of Ways and Means.

Sugar Duties.] The *Chancellor of the Exchequer* rose to call upon the House to make the usual provision for the supply of the year, which was derived from the sugar duties. To those Members of the House who had the advantage of hearing the financial statement made at the commencement of the Session by his right hon. Friend at the head of the Government, it could not be a matter of doubt as to the course which he was about to pursue. He need hardly say, that he intended to propose that the present sugar duties should be continued for another year. It would have been most gratifying to him if he could have adopted another course, and could have consistently with his duty recommended to the House in the present circumstances of the country, a measure which would combine a considerable reduction of the duty on sugar from British possessions, and at the same time have allowed the admission of sugar from foreign possessions at a lower duty. By such a course, he believed that they would have given an additional advantage to the consumer, and at the same time, a fresh impulse to our foreign trade. But the circumstances, which a sense of duty induced his right hon. Friend to state to the House on the occasion, which he had just alluded to, led him, and those with whom he acted, to resist the proposition of the right hon. Member for Portsmouth. On the present occasion, that was a proposition which the Government could not recommend to the House, and were it recommended, he did not think that the House and the country would be prepared to adopt it. His own opinion was, that whatever alteration might be made in the sugar duties, with a view to the general interests, must be in the form of a measure which would combine a considerable reduction in the duty on sugar, and also to facilitate the admission of foreign sugar. He did not think that they could thus effectually deal with the sugar duties unless the House would risk, for a certain time, a considerable portion of the revenue derived from them. They, at present, were not prepared to risk this amount of revenue, for the reasons stated by his right hon. Friend when he proposed the reduction of so many other duties. He thought that under all the circumstances of the case, the House would be satisfied, that without an abandonment of those other measures for the reduction of duties on other articles of general consumption, it would be impossible to make this further large sacrifice of revenue for the purpose of reducing the sugar duties. It might be suggested that it might be the pleasure of the House, with a view to the interests of the consumer, to make a reduction in the duty on colonial sugar alone, but he was of opinion that under existing circumstances, there were considerable objections to the adoption of such a course. Although he believed, that the supply of sugar from our own possessions for this year would be fully adequate to the demand of the country, and that to the consumer, the price would be moderate; yet, until they had had longer experience of the capabilities of our colonies to supply the ordinary, or rather the increased demand of sugar at a moderate price to the consumer, he thought the reduction of the duty on colonial sugar alone could not be attended with any considerable benefit to the consumers. We should only sacrifice a part of our revenue without having an equivalent reduction in the price of the article. This was, in his mind, an insuperable objection to the reduction of the duty on colonial sugar alone under present circumstances. He thought that it would be equally objectionable at present to make a reduction of the duty on sugar from foreign possessions, and thus bring it within the general consumption of the country. On this point, he adhered to the opinions which he expressed last year, when the measure of the last Government was under consideration, namely, that there were strong political and moral objections to the proposal. He could not, therefore, recommend to the House the reduction of the duties on foreign sugar, while those foreign countries refused to make us any concession with regard to the slave-trade and slavery. He considered it would be most unadvisable for us in this way to sacrifice what seemed one of the most likely means for enabling us to effect the great object we had been so long endeavouring to effect, and which, he thought, we had reason to hope, was much nearer being effected than it was when he last spoke on the subject. The House could not be ignorant of the immense importance which was attached to admission to the British market on the part of those foreign possessions which made use of slave-labour. The British market was, perhaps, of all the markets in the world, the one most desirable to the slave-holding and slave-dealing foreign possessions of other countries; the one in which there was the greatest chance of considerable advantages from immediate admission, and in which there was the greatest chance that the supply required would be continually on the increase. It was, therefore, obviously, a very important object with those foreign states, to obtain admission into the sugar markets of England; and this had become, within a recent period, a still greater object than ever; for if hon. Gentlemen looked at the countries that were supplied by the slave-holding colonies, they would find in these countries, not only that of late years additional restrictions had been imposed on the introduction of raw sugar, but that there was little probability, from the known sentiments of those who governed those countries, and from the opposing interests of those who had procured the restrictions, that the opening hitherto existing in those countries for the admission of this sugar would be as extensive in future as it had been in times past. Under these circumstances, he could not but feel that here was afforded an additional inducement to foreign slave-holding, estates to endeavour, by making some concessions to us in reference to slavery, to obtain admission into our market. In France, the duty on the admission of these foreign sugars was nearly as prohibitory as our own. In Russia, the system of duties, in respect to this and other commodities, was extremely prohibitory also; and, in the case of the German League, within a short period past, the interest of the domestic sugar growers, in parts of that league, had induced the respective Governments to impose duties on the admission of foreign sugar, which nearly, he believed, if, indeed, they did not quite double the duty hitherto placed on the article. Shut out, therefore, from these important markets in Europe, and shut out too, with a view to give protection to articles of domestic growth, shut out from a deference to interests which must necessarily go on operating in the countries in question, it was now, more than ever, matter for reasonable expectation, that the sugar growing colonies would henceforward display a greater willingness than at antecedent periods to make some supposed sacrifices, in order to effect an extension of their trade to the British market. But it was not to this consideration alone that he looked for a favourable result of the efforts which this country had been so long engaged in for effecting the great object to which he had referred. He could state, and he stated it with much gratification, that on the part of those foreign possessions, from which we were likely to derive supplies of sugar, there had been of late in the disposition and feeling manifested by them, a very decided improvement. In the island of Cuba, more especially a public opinion, had for some time past been springing up adverse to the continuance of the slave-trade. It was impossible to read the public documents issued in that colony, or the papers and opinions disseminated by the press, and not feel astonished at the change which had manifestly of late taken place in the public feeling of that colony on this subject. In that colony, where but a short time back slavery was considered a subject on which no man dared even to breathe a doubting opinion, you now found public discussions and disquisitions going on, as to the advantage which would result to that colony from the extinction or suppression of the slave-trade, and from an improved treatment of those slaves who were already in the colony. And whatever might be the motives of those who advocated these changes, whether they were to be attributed to selfish interests, or to be assigned to higher considerations, the fact was, that there was a growing public opinion making its way rapidly among the public bodies in the slave colonies, and in Cuba in particular, in connection with the strong feeling entertained on the subject by the present governor, which had a direct tendency to make the people of Cuba desirous of modifying slavery, more especially if, by so doing, in addition to the moral and social advantages thence derivable, they could attain great pecuniary and commercial benefits. He was extremely unwilling to detain the committee by reading any documents on a subject of this character, but, at the same time, it would be gratifying to those who had taken a direct interest in the suppression of the slave-trade, and the mitigation of the evils of slavery, to find, that in those countries where the view had hitherto been darkest, there had latterly been a gleam of light which was now brightening, and which promised hereafter to grow into a noonday blaze. It appeared from the best information that was attainable, that in the year 1814, the number of slave vessels that arrived at Cuba was less by one-third, than in any former year; and in the despatch addressed to the British Secretary of State by an officer in that island, that Gentleman said,

> "Your Lordship will be gratified to learn that a spirit, decidedly hostile to the slave-trade, has arisen here, and has made such progress as to have induced many of the planters to seek the use of free labourers in preference to slave labour."

The right hon. Gentleman then quoted a still more recent despatch, in which it was stated, that the anti-slave-trade spirit was making great way in Cuba; in proof of which, the writer added that the Spanish authorities had lately liberated several negroes who had been fraudulently introduced into the island as slaves; and it was further mentioned, that the present Captain-general Geronymo Valdez was using the best exertions towards this great object. He had just stated these facts to the committee, as confirmatory of the views which he had taken on a former occasion, and which he was acting upon now; and he considered, that there being this improved feeling awakened on the part of these foreign possessions, whence we might expect to derive supplies of foreign sugar, it could not be the policy of this country, without some concessions as to the slave-trade and slavery from those possessions, to admit their produce to the benefit of the British market. It was not merely that in doing otherwise, we should be throwing away an instrument which might prove most effectual in carrying out the great object we had so many years been labouring to accomplish; but we might also be even checking this growing feeling in the colonies, by raising up an interest against the suppression of the slave-trade, in those planters who, if the duty were reduced now, would resort extensively to slave labour for the purpose of putting under sugar cultivation those large tracts of country which were at present not made use of for that purpose. For these reasons, he would repeat, he could not recommend to the House during the present year, to reduce the duties on foreign sugar. He had already stated the reason why he did not think it expedient, without reducing the duties on foreign sugar, to make a reduction of the duties on our colonial sugar; and the only alternative, therefore, which remained was, to recommend to the committee the proposition which he should conclude with placing in the chairman's hand, the continuation of the present duties for another year. In making this proposal he had, however, the satisfaction of believing that he was not taking a step which would be injurious to the consumer of sugar in this country. His right hon. Friend had stated, on a former occasion, that from every account he could obtain of the prospects of the production of sugar in our own possessions, there was every reason to believe that that production would, during the current year, be amply sufficient to afford more than a large supply for all the demands of this country. To this statement, made by his right hon. Friend on that occasion, he might, from subsequent information, add his confirmation; and he believed, from all the accounts he had received, whether from India, on the one hand, where the growth of sugar had increased, and where there had been a productive season; or from the Mauritius, where, annually, the quantity for some years past had been increasing, and where the growers had means of labour not enjoyed by the former slave colonies; or whether they looked at the West Indies, where there had been a most fortunate season, and where the droughts, which had ruined the prospects of former years, had been replaced by the most genial weather; he believed, he said, that taking the sources of supply together, we might rest assured of having 230,000 or 240,000 tons of sugar for the supply of the year. The quantity consumed last year was 4,058,431 cwt., or rather more than 200,000 tons, and this was the greatest consumption that had taken place in this country of late years; so that for the current year, we had before us the prospect not only of an abundant supply for the demand at the present rate, but, moreover, an abundant supply for a considerable extension of that demand. Now, with respect to the prices; could it be maintained that at the present period the price of the article was excessive? It was well known, that at the same period last year, the price of sugar was the same as it now was, 36*s.* In May, 1841, the price was 36*s.*, and in May, 1842, the price was also 36*s.*; but the committee would form an erroneous opinion if it took the average of this year to be the same as the average of last year, merely from the circumstance of the price being the same at both these periods. With respect to last year, it was well known to those who were concerned with sugar, that there was then in the market a large proportion of inferior sugar brought into this country from India, in consequence of the high price of former years; and consequently 36*s.* for such an article represented a far higher rate of charge than 36*s.* for an article like that now occupying the market, which was of a much better quality. But it had been found, that great as was the consumption of last year, the consumption of the corresponding period of this year was greater than before; and therefore, with the prospect of ample supply before us, and under the circumstances he had stated, he saw no reasonable ground to apprehend that prices could attain such a point as would interfere with consumption, or prevent the enjoyment of this article by the lower classes of the community. It must be gratifying, then, to all men to think that we could provide amply for the wants of our own community, and even for the extension of the consumption among us of this necessary of life, without infringing on the principle for which this country had so long struggled—without infringing on the principle of lending our whole efforts to the abolition of the slave-trade, and the improvement of slavery. It was for these reasons that he hoped the committee would concur in the resolution with which he should now conclude. He was quite aware, that on this occasion he was to be met by two distinct and opposing propositions, the one emanating from the hon. Member for Bath, the other from the right hon. Gentleman opposite. Into these propositions, before hearing the grounds or details on which they were founded, he could not, of course, enter. He had stated the reasons which appeared to him to make it desirable to continue the duties as at present. He did not conceive we were in a position to run further risks of the revenue in the course of the present year; and he did not think we should be justified in throwing away a chance of having concessions made us in return for advantages we might give foreign possessions in respect of sugar. He therefore thought the committee would act wisely in agreeing to the resolution which he would now conclude with proposing,

"That towards raising the supply granted to her Majesty, the several duties on sugar and molasses now payable, shall be further continued."

Mr. *Roebuck* said, the right hon. Gentleman, in the proposition which he now made, had adduced certain arguments as reasons to show why he and the Government with which he was connected considered that the principles which they asserted with respect to commerce in general should be deviated from in respect to one article of general and necessary consumption. In dealing with the right hon. Gentleman's arguments, he had got to consider the consumer as one party, the colonial possessions as another; and next, he had to deal with a sort of Quixotic argument which was pressed into the matter for the purpose of the moment—the subject of slavery. Every one must admit, that sugar was one of the greatest necessaries of life in the present state of society in this country. If he wanted any proof of that it was contained in a paper which he held in his hand, and by which he found that above 4,000,000 cwts. of sugar were consumed in this country, in the year ending January, 1841; and that quantity cost, exclusive of duty, something like, in round numbers, between seven and eight millions of money. In addition to that, there was levied on that sugar four millions of money in the shape of duty. Now, if they considered the enormous amount of capital expended in this one article, putting it at the smallest rate, he needed nothing more to show, that it was of the utmost importance as an article of primary necessity. He held in his hand a return moved for on the 2nd of March, by the right hon. Gentleman, the Member for Portsmouth (Mr. F. B. Baring, as we understood) which stated that the total quantity of sugar consumed in the year 1841, in the United Kingdom, was 4,058,431 cwts. He would not enter at any length into the moral question involved; but it was a matter of very great importance. It was a consumption, the increase of which, tended to give the people habits of sobriety, habits which were altogether opposed to those habits which were fostered by another class of enactments — namely, those connected with the consumption of spirits. He also desired to raise the wants of the people; he meant by that to raise the class of anxieties, and if he could make the people want immediately, a great expenditure would be required; and if he made that want common to the whole community, rich as well as poor, he went far to raise them in the scale of being, and to make them more comfortable citizens. Therefore, looking at it in its real moral point of view, as separated from fiscal considerations, he took it to be one of the most important questions that had been brought before this House. That being the case, let the committee look at the prices, and the loss which was sustained by the people of England, in consequence of the present rate of duty. In a paper moved for by the late Chancellor of the Exchequer last year, there was a list of the various prices of sugar imported from foreign countries as compared with the prices of sugar from our own colonies; and he found, that in the year 1841, the average price of colonial sugar was 49*s.* the cwt., whilst the price of foreign sugar (from Brazil and Cuba) was 21*s.* He would not, however, take the difference at the highest point. He would not take it as a loss of 28*s.* the cwt., but only 20*s.* That was reducing the distinction between the two sugars to 1*l.*, so that it was clear the people of this country paid 4,000,000*l.* in the year 1841 more than they ought to have paid, for the purpose of obtaining the sugar they then consumed. He wanted that argument to be met by the right hon. Gentleman opposite, because it was a mere matter of figures. There were imported 4,058,000 cwts. of sugar, costing on an average 49*s.* the cwt. [Mr. *Gladstone:* No, no; 45*s.*] The price was 49*s.* in the year 1840. Going to 1841, he found the average 45*s.*, perhaps lower; and his argument was this—that in 1841 there was a difference between the prices of colonial and foreign sugar of 1*l.* If that were the case, he reflected that the people of England paid 4,000,000 of money more than was necessary for their sugar; and what benefit had been derived in return for that expenditure? He should like right hon. Gentlemen opposite to show what they considered to be the real difference in price between the sugar brought from our own possessions and the sugar brought from Brazil and Cuba. He would take the amount of loss however at only one-half, and say, that 2,000,000*l.* more than was necessary had been expended; and he turned round and asked the Chancellor of the Exchequer, the whole Government, this committee, and all persons in authority, what it was that should induce them at this time to impose on the poor of this country, for it was on the poor this chiefly fell, a tax of 2,000,000*l.* per annum? What was the advantage? "Oh," said the right hon. Gentleman, and those who spoke on that side of the question, "first, there is the inter-colonial principle to be supported," which being reduced into ordinary phraseology, meant that there were persons possessing West-India property who were to have 2,000,000*l.* per annum given them. Well, then, he wanted to know if they were prepared to tax the people of England 2,000,000*l.* or 4,000,000*l.* for the benefit of the West-Indian proprietors? "Oh no," said the right hon. Gentleman, "not for the proprietors, but for the benefit of those who were slaves, and the inhabitants of the West-India islands." He denied that altogether. He said there was no benefit conferred on those who were a slave population by the imposition of this tax. It went entirely, wholly, and completely into the pockets of the proprietors of West-India estates. It was maintained for the sole purpose of giving the money to those parties. And now he came to that shadow of an argument which had been pressed into the service of the right hon. Gentleman for the purpose of bolstering up this tax. Whenever there was a tax concerned hon. Gentlemen opposite stated some plausible argument which should chime in with the prejudices of the people. When cheap timber was wanted, there was instantly an outcry raised about the navy, and the maintenance of our mercantile marine; and when a reason was wanted for the imposition of a large tax on sugar there was a loud cry about the slave-trade. He would take that question at once, and state it fairly to the committee; and he would ask right hon. Gentlemen in what iota or particular they were prepared to answer his assertion? He now said broadly, from the statements of those who were most conversant with this question, and took the greatest part in opposing the slave-trade, that all our Quixotic legislation on that subject had tended to produce mischief and not benefit. He found by Sir Thos. Buxton's book, that, after all the extraordinary efforts we had made, there was the same population of slaves in South America; that there was a large importation into that part of the world, and a larger exportation from the coast of Africa. Putting these two things side by side, he learned that we had not prevented the mischief of an importation of slaves, but had actually enhanced the miseries of the "middle passage;" that, in fact, we had killed the people by our ill-timed legislation. On referring to history, he found that in 1793 the French people fancied they had got hold of a great truth, and had a great desire to propagate that truth. They wanted to alter the social and political relations of society, and attempted the propaganda. What was the consequence? Throughout the whole of this country one universal cry was raised, that they had no business to interfere with the proceedings of other nations; that it was not the business of one country to propagate in any form, as a nation, any particular opinions in another; and that they were not to be the Quixotes of the earth to extend their own particular views. It might be very well for people to say it was a bad thing to propagate those opinions; but there were others who believed it to be a good idea, and at the same time believed that a nation ought not in that manner to propagate its opinions. That was what England had done. A certain number of people in this country had formed an opinion that the slave-trade was mischievous; he agreed with them to the uttermost, and there was nothing he would not do, consistent with what he believed true morality and sound policy, to put down the slave-trade: no man was more opposed to slavery than he was; but there was another division, he maintained, in common with those who were opposed to the propaganda of France, and he was prepared to say with them, that it was no part of the business, it was no part of the duty of a nation, to propagate any opinions of this description as a nation. If they once adopted this principle, there was no line of distinction to be drawn. To-day they might choose to say, "we will prevent the slave-trade," and to-morrow interfere with the United States of America and endeavour to put down slavery itself. Where was the distinction? Why should we say we will not permit other nations to traverse the seas and import slaves, and not also say they shall not have slavery in their dominions? When we assumed the power to say "we will put down the slave-trade," we were acting just as wildly and foolishly, as politicians, as if we were to say to the American people, "we intend to put down slavery in your country." Therefore, he said, first as a matter of mere downright common-sense policy we could not do it. And even if we could, it was a principle we ought not to foster by such means as these. It was opposed to all sound policy and morality for this country to interfere in respect to the internal social relations of other countries. He knew that by stating these opinions he subjected himself to much imputation. But that was a matter to which he was so much accustomed that he was not to be frightened by it from the performance of his duty. He knew full well that a certain cry which had been raised had been used for special purposes; and after the speech delivered some time since by an hon. Member in this House, respecting the mode of proceeding on the part of hon. Gentlemen opposite as to the Corn-law, he thought he was not at all uncharitable in believing that this cry was laid hold of as exceedingly convenient for the purpose of exciting the people of England against the then Government, and taking advantage of a very noble and benevolent feeling which pervaded their bosoms for the purpose of furthering the objects of a peculiar and particular party. The reason that the duties on sugar were to be maintained was, not on account of the Government feeling that they were not mischievous, impolitic, and in every respect cruel and grinding to the poor, but that they were bound as a party, for the purposes of party, and for saving, apparently, their own consistency on the question, to maintain them one year longer. That was a stalking-horse and cover for what he believed would be a most beneficial treaty, and was intended to be made by the present Government, if they continued, as he thought they would, longer than that period in office. He would now go back to his original question, and ask the right hon. Gentleman to point out how it was that the benefit he had in prospect—namely, to induce the governments of South America to join him in putting down the slave-trade, was any justification to this country for taxing the poor to the amount of 4,000,000*l.* per annum? The right hon. Gentleman said,—

> "It cannot be the interest of this country to admit foreign sugar until we have obtained some guarantee for the suppression of the slave-trade by the countries from which we are to derive the sugar."

And then the right hon. Gentleman spoke of the feelings of the people of those countries upon the question of slavery. But had we not a right to assume, that those feelings would go on changing if communication were maintained between them and ourselves? He believed, in fact, that if we had in reality a constant intercourse with these people by an extended trade we should have a much more potent influence upon their opinions. Let them be once united with any trade, unite them in bonds of interest with Great Britain, and then how potent would be our voices. But now we were causing a separation of interests, and said, we will not give you a prospective benefit, because you do not enter into a treaty with us to put down the slave-trade. The right hon. Gentleman did not dwell on anything, from the beginning to the end of his speech, but the advantage to be derived from withholding any commercial intercourse with these people, and the advantage to accrue from putting down the slave-trade. He never told the committee of any other. He did indeed say there would be a large supply of sugar; but he never told the House, that the price of colonial would be the same as the price of foreign sugar; and he was quite sure the right hon. Gentleman was not prepared to make this asseveration, that if we were to open our ports to South American sugar, the price of sugar in this country would not fall very materially. This was proved by the right hon. Gentleman not proposing to alter the duty. The difference was between 63*s.* and 24*s.* the cwt., and that the right hon. Gentleman believed to be necessary for what he called protection. "If I were to alter the difference," said the right hon. Gentleman, "I should let in foreign sugar; and if that were the case, how much cheaper would foreign sugar be than colonial? Taking the duty at 63*s.* and 24*s.*, in 1840, if foreign sugar had been admitted here at 84*s.* our colonial sugar would have been 73*s.*, because there was a great difference between 63*s.* and 24*s.* duty, whereas the difference in the actual cost price was 21*s.* and 49*s.*" So that the right hon. Gentleman acknowledged that the price would materially fall, and produce great benefit to the people. He reiterated the statement *ad nauseam* to the right hon. Gentleman, and it was a thing to be reiterated to the people, that they were paying, in a matter chiefly connected with their social and commercial relations, two millions of money, taking it at the lowest possible point, for the sole purpose of maintaining a body of West-India and East-India proprietors; and that there had been drafted into the service of hon. Gentlemen opposite a new-fangled argument, which had only within the last two or three years rushed into their minds as a breath of offence against this (the Opposition) side of the House. They never recollected it in times past, when they were proprietors of slaves; they never talked of the horrors and mischiefs of slavery then; and it was reserved for his side of the House to put it down. Why did the right hon. Gentleman, he asked, allow the importation of coffee, rice, and cotton—and he did not know how many other things—all the produce of slave-labour? But the right hon. Gentleman said, here is one article, sugar, the most important to the people of all that can be mentioned; and the only reason that I do not admit that as I do the others is, that I believe there would be a great increase in the slave-trade if we permitted it to be imported. That was his sole argument, and he now appealed to the people of England upon one of the finest feelings that any nation had ever exhibited. But though this magnificent benevolence, as he must call it, was in itself a great spectacle, still he would say it had been employed for mischievous purposes, and however great and beneficial might be that feeling in the people who entertained it, they who had used it as a means of putting an end to the slave-trade had used a mighty principle of good for mischievous ends. They had not succeeded —that was admitted; but had enhanced all the miseries they attempted to put down, and only shown that misplaced benevolence was often as mischievous as malevolence itself. Looking then at the whole of the bearings of the question, he was prepared, on the general argument he had advanced, to rest the proposition which he now made—namely, that the duty on foreign and colonial sugars should be equalised.

Mr. *Godson* should confine himself to the two propositions put forward by his hon. and learned Friend, the Member for Bath, that we ought to go to the cheapest market for our sugars; and secondly, as to what would be the effect of this proposal on labour in the West-India islands. But would it be the cheapest market? That was the question. The sugar of the West Indies could not be raised for 21s. the cwt.; and the measure of his hon. and learned Friend would therefore destroy the whole of the plantations in the West-India colonies and our East-India possessions. The hon. and learned Gentleman, no doubt, would not dislike to see such a result. Perhaps he would prefer, that no sugar should be grown either in the East Indies or in the West Indies. But the effect of an equalisation of the duties with respect to price, whether for good or for evil, would be, that not another sugar cane would be planted in the colonies. And in the event of carrying out this state of things would not the governments of Spain and of the Brazils immediately tax to a large extent the sugar which they would import into this country? Take from the market 4,000,000 cwt. which was now supplied by our colonies, and he would ask, would any man believe that the sugar growers of Cuba and of Brazil would still import to us without levying some additional imposts? It would be to give to Brazil, to Spain, and to Cuba, the opportunity of raising a revenue so large as to prevent the people of this country from deriving any advantages whatever. This would be the effect the moment they should take away the competition which now existed; and therefore, he contended, that they were not to go to the cheapest market, in the real sense of the word, if, as a consequence of such a measure as that of his hon. and learned Friend, they thereby destroyed the competition which now existed, as between the East Indies and the West Indies. The second part of the argument of his hon. and learned Friend was, that by carrying out his principle, it would have no effect on the happy condition of the negro population. Here the hon. and learned Gentleman was mistaken as to the facts. For if they took away the growth of the sugar cane, they took away the very wages; and they would promote a state of society in which the negro might, perhaps, still live in comfort, but he would not be enabled, out of his wages, to do that which, much to the credit of the negro population, they had done, aided by means which reflected honour on this country, and on the missionaries of her church,—namely, to maintain the churches and schools in the colonies. He therefore thought that the shortest and plainest answer to the proposition, that we should go to the cheapest markets for our supplies, was this,—that that market would not continue to be the cheapest if they took away all competition, and with that the wages of the West-India labourer; and, moreover, that a state of society would ensue in which the negro would not remain in the condition in which he now happily was.

Mr. *Gladstone* thought it was the general feeling of the committee that it would be more convenient to go into the motion which was expected to be brought forward by the right hon. Gentleman opposite, before they discussed the present question. He did not mean to say this in any discourtesy towards the hon. and learned Gentleman, or what had fallen from him; but the fact was, that the motion was one of a peculiar nature, and one which he must go into at a length which he thought few hon. Members would be disposed to accompany him. The hon. and learned Gentleman seemed to lay the onus on his right hon. Friend to show why he made this exception to the general rules of trade in the article of sugar. What were the "general rules of trade," which the hon.

and learned Gentleman found operating in the world in respect to differential duties? If the hon. and learned Gentleman looked to general rules of trade, he would find that when there was a producing interest, it was protected by a duty abroad in competing with foreign countries. There the same rule applied, but in an increased degree. The hon. and learned Member was aware that in the principal consuming countries this was the case,—a heavy duty was imposed on the importation of foreign sugar; as in France and Germany; and the committee of the American Congress had likewise recommended a considerably increased protecting duty. He was not there to question the right of the hon. and learned Member to bring this question forward, but he really spoke of this differential duty as if it were an exception to a general rule. He did not think, in the present state of the country, in respect to the tariff of this or foreign countries, that the hon. and learned Gentleman would find those general rules to which he had referred. He thought, however, that without going now into detail as to the propriety of a vast interest being placed under the shelter of a protecting duty, and setting aside for the time a discussion on the probable effects of carrying the hon. and learned Gentleman's motion,—it would be inconsistent with the principles upon which the House had always proceeded, namely, that of protection, suddenly to withdraw that protection on a proposition to equalize the duties, where, in our case, up to the present moment, they were almost absolutely prohibitory. He did not think the hon. and learned Member would find a dozen Gentlemen to go such a length. The House was about to carry into effect vast alterations in respect to the protecting duties which bore upon our foreign and our home interests, and he was sure the case of sugar would be dealt with on the same principle. It was not necessary to discuss what should be the extent of the protection, but the case was at least as strong in that of sugar as anything else. The hon. and learned Gentleman has gone at length into his own views upon the interference of this country in respect to the slave-trade, and had expressed opinions which he thought the hon. and learned Gentleman would be almost solitary in holding in that House; but that part of the subject would be better reserved for a future and more extended discussion, if that House were inclined to entertain the question for changing a system which was absolutely prohibitory for one of equality and perfect freedom of trade. But as it was, he did not think that House would make such an exception to all general rules, and to all the principles on which the tariff was proceeding; and therefore he could not consent to make a change so sudden and so vast as that proposed by the hon. and learned Member for Bath.

Mr. *Cobden* said, that the right hon. Gentleman who had just sat down, rested his case on totally different ground from the Chancellor of the Exchequer. He would like to hear the real ground of opposition to this motion. His hon. and learned Friend had proposed that the duties on foreign and colonial sugar should be equalised. He was met by the argument of the slave-trade. His hon. and learned Friend had satisfactorily disposed of that argument; but there was another point to which he had addressed himself, and on which he would take the liberty of remarking. Hon. Gentlemen on the other side claimed for this country the merit of doing what, strictly speaking, it was not doing. Our principle was said to be to refuse the admission of slave-grown sugar, lest we might encourage slavery, but we sent out to the Brazils and brought back sugar, which we then took to the continent and sold for a bill of exchange, or a few bales of wool or some other commodity. Could the right hon. Gentleman deny, that this was as strong an encouragement to slavery as if the sugar came into England, and sweetened his own tea? Our policy, indeed, compelled our merchants to make a circuitous route, and to pay brokerage and other burdens, all of which ultimately fell on the working class; but the nature of the process so far as the encouragement of slavery went, was exactly the same. We did, by exchange, encourage and increase the cultivation of sugar by slaves in Brazil; but we did it in a way to increase the burdens of our own people. There was another point. We admitted foreign sugar to be refined in bond, while we were excluding it from home consumption, upon the monstrous pretext of discouraging slavery. We were letting it into Liverpool and London to be refined in bond, and then exported it to all parts of the world. In 1840 we exported slave-grown sugar refined in bond to almost every country in Europe—to Spain, to Germany, to Russia, and elsewhere. We were even supplying the West Indies, so that the free negroes there were eating slave-grown sugar, refined in bond, at the same price which our labourers at home were paying for common brown sugar. It was monstrous to think, that while opposing the reduction of slave-grown sugar into the English market, we had sent such sugar, refined in bond, in the last half of 1840 to countries containing a population of 600,000,000. The noble Lord, the Member for Liverpool, who had opposed the change in the sugar duties last autumn, and joined in turning out the late Government on the question, went down to Liverpool with the same plea of slave-grown sugar, and some of his leading supporters were refining slave-grown sugar in bond, and sending it to all quarters of the globe. In legislating on this subject they were actually compelling the people to give a much larger share of the produce of their labour for sugar than they would with equal duties. During the six years from 1834 to 1840 inclusive, the people of this country paid 20,000,000*l.* more for sugar, than they would have done if they had bought it from foreign countries. He had heard shrewd intelligent merchants, trading with the West Indies, say, that if we had made a present of the goods sold to the West Indies, in return for a free-trade with Brazils and Cuba, we should have been actually gainers. We compelled our own people to give twice as much as was necessary for sugar, but we did not compel the people of the West Indies to pay double price for our commodities. Could this state of things continue? The right hon. Gentleman, the Vice-President of the Board of Trade, quoted precedent as a justification, and made use of no other argument. No doubt, high protecting duties had existed heretofore, but could the trade continue in its present state? What were the fruits of the present system? Look at the condition of the working population. Did it not require some great and comprehensive measure to relieve them? No miserable expedient, no wretched peddling alteration of the tariff could have the effect of resuscitating the country from the depth of misery into which it had fallen. Did not the present state of the country call for a large and comprehensive measure, and was not his hon. and learned Friend justified in proposing his amendment? His hon. and learned Friend did not stand alone. The Manchester Chamber of Commerce had every year petitioned for an equalisation of the duties on foreign and colonial sugar. In presenting that petition, they knew, that previous legislation on the subject had done grievous injury to the population of that district. They knew that Parliament could not protect manufactures, if they would, and that, in giving a monopoly of sugar to the West Indies, it was done at their expence. That monopoly might be very convenient for hon. Members, either there or elsewhere, who owned land in the West Indies, but it was obtained at the expence of the sinews and blood of the people of this country. What was the pretension for these differential duties, as they were called? Why not stick to the old term, "monopoly," or, if they liked it, protecting duties? But what was the pretension on which this monopoly of the colonies was grounded? The noble Lord the Secretary for the Colonies, on a former occasion, had indulged in a great deal of declamation upon the advantages of colonies. He was not going to contend, that it was not an advantage to have people of our own race spread over the earth; but, was that a reason for giving them protection and a monopoly, when the cry at home was to be relieved from the monopoly of the landlords? It might be pleaded in favour of the landowners, that they had special burdens, and paid taxes to the State. But could the colonies set up such a plea? We paid for their governors, and even for their education—we paid for the bishops of their ecclesiastical establishments—we paid for lighthouses, and we paid 100,000*l.* for militia uniforms in Canada, at the same time that we were keeping 15,000 regular troops there. It might be very well for the noble Lord to talk of the advantage of these colonies, but men of business would calculate the cost of all this, and they could not be expected to be satisfied if they found themselves paying half as much in expenses as the whole return of the trade with the colonies. The manufacturing interest readily offered to give up all their own protection. He had protested against the 7 per cent. in the colonies as a fraud, as being intended to deceive, and to be quoted as an authority hereafter. If they would abolish the colonial monopoly, he would undertake to bring the whole manufacturing interest to abandon their protection, and to thank the House for the arrangement. The present scheme was founded on selfishness, and looking at the present condition of the people, he warned the House that it could not continue, and he hoped they would not persevere in trying to maintain it too long.

[A short discussion took place as to the form of putting the question, which ended in an understanding that the sense of the House, should be taken on the general proposition, that the duty on all sugar not being refined be 24*s*. per. cwt.]

Mr. *Roebuck* in reply, said, he wished for no discriminating duties, but both the present Government and the late Government supported them, though they differed as to the amount. The right hon. Gentleman the Member for Taunton, was about to propose that there should be a differential duty of 10*s*. That either would or would not admit foreign sugar. If it did admit it, it would lower the price of sugar, and, therefore, drive colonial sugar out of the market; and, therefore, be no protection. If it did not admit foreign sugar and low prices, it would give no relief. This was the canker in all systems supported by the Members of the late Government. They did not carry out the principle which they desired to maintain. If they wished to protect the colonies they should do as the hon. Gentleman opposite did. If, not they should adopt the principle of free-trade. He was for free-trade and fair competition. The Vice-President of the Board of Trade said, that he would find no example of the principle which he maintained. He knew, that Government had not acted on the principles which economical science had established; but it was not on that account less certain, that the principle on which all sound commercial relations were founded was to buy in the cheapest market. Any man who, in legislating, acted against that principle, was bound to give the reasons why he acted against it.

The committee divided on the question, that the duty on all unrefined sugar be 24*s*.:—Ayes 18; Noes 59; Majority 41.

List of the AYES.

Bowring, Dr.
Brotherton, J.
Busfeild, W.
Christie, W. D.
Gibson, T. M.
Hawes, B.
Marsland, H.
Morison, G.
Philips, M.
Ricardo, J. L.
Somers, J. P.
Tancred, H. W.
Thornely, T.
Villiers, hon. C.
Ward, H. G.
Williams, W.
Wood, B.
Yorke, H. R.

TELLERS.

Roebuck, J. A.
Cobden, J.

List of the NOES.

Acland, T. D.
Arbuthnott, hon. H.
Baillie, Col.
Baird, W.
Baldwin, B.
Barclay, D.
Baring, rt. hn. F. T.
Barnard, E. G.
Blakemore, R.
Buckley, E.
Buller, E.
Campbell, A.
Chapman, A.
Chetwode, Sir J.
Chute, W. L. W.
Clive, hon. R. H.
Colebrooke, Sir T. E.
Coote, Sir C. H.
Dickinson, F. H.
Escott, B.
Esmonde, Sir T.
Flower, Sir J.
Gladstone, rt.hn.W.E.
Godson, R.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Grant, Sir A. C.
Greenaway, C.
Hampden, R.
Hardy, J.
Hepburn, Sir T. B.
Herbert, hon. S.
Hope, hon. C.
Hughes, W. B.
Hussey, T.
Jermyn, Earl
Kemble, Henry
Knatchbull, rt.hn.Sir E.
Labouchere, rt. hn. H.
Lascelles, hon. W. S.
Lockhart, W.
Mackenzie, T.
M'Geachy, F. A.
Manners, Lord J.
Palmerston, Visct.
Peel, rt. hn. Sir R.
Plumptre, J. P.
Price, R.
Reade, W. M.
Round, J.
Russell, Lord J.
Sandon, Visct.
Sheil, rt. hon. R. L.
Stanley, Lord
Stewart, P. M.
Stewart, J.
Vane, Lord H.
Vernon, G. H.
Wemyss, Capt.

TELLERS.

Douglas, Sir C.
Fremantle, Sir T.

Original question again put.

Mr. *Labouchere* stated, that he had not been able to concur in the motion made by the hon. and learned Member for Bath; and that hon. Gentleman had truly said, that in resisting that motion, his noble Friend, and those who acted with him, had only acted in accordance with the principles that they had uniformly avowed. He confessed, himself, that he could not reconcile it either to justice or sound policy, after this country had, for a long series of years, raised, by high protecting duties, any interest that relied upon these protecting duties, suddenly, and at once, to prostrate that interest by a single blow, regardless of the ruin and confusion this must cause, to the classes dependent upon it. Whatever reproaches this opinion might subject him to, he should never hesitate to avow it in that House. He did not believe, that the humblest person in the community—he did not believe, that there was any class in the community who could clearly have an interest in any measure that could injuriously affect other classes. He believed this was the true and proper time for opposing the principle of high and protective duties at home; and though he was desirous of putting protection on a footing more consonant with the general interests of the community at large, yet he considered, that it would be an injustice not to do it with tenderness and care. If he held this to be true as regarded the mother country, he held it to be not less true with regard to the colonial interest, especially when they remembered, that these colonies had no representative in that House, who might call their attention to any injury which they might be about to inflict upon them. The principle which he always had avowed was, that high and exaggerated protective duties should be put an end to. Monopoly he believed to be injurious to the community, and not advantageous to the interest it was intended to secure. That was the principle he was prepared to apply to various important interests at home; that was the principle which he rose in his place that night to apply to one of the most important interests of their colonies. The motion of the Chancellor of the Exchequer was to continue the present duties on sugar; 3*l.* 3*s.* the cwt. on foreign sugar, and 24*s.* the cwt. on colonial sugar, on sugar the produce of British possessions. He, on the contrary, proposed, that the amount should be reduced to 30*s.* the cwt. on foreign sugar, and on sugar the produce of British colonies, 20*s.* the cwt. He never was more confident of anything in his life, than he was of this—that whatever might be the fate of the proposal that he made that night, and however successful might be the opposition which he regretted to find, it was to meet from her Majesty's Government, yet he felt perfectly confident, after the avowal of policy made by the First Minister of the Crown, and the principles acted on upon other subjects, he felt perfect confidence in saying that at no distant period, the true principles of commerce would be applied to sugar, as well as they had been to other articles in the course of the present Session. He had now to call the attention of the committee to the true circumstances in which they were placed at the present moment. They now heard from the Minister of the Crown the remarkable avowal, that he considered this country to be in such a state, that it was of the utmost importance to reduce the price of the great articles of subsistence to the great body of the community. Valuable as that declaration had been, yet he must say that the remedies proposed to cope with the great and admitted evil were lamentably inadequate. He did not mean to refer to the Corn-laws, otherwise than incidentally. He must remind the House that corn was the chief article of the subsistence of the people. At the recommendation of the Government they had passed a bill which legislated with regard to that article, and whatever might be its other merits, it was not framed on the principle of giving food cheaper to the great body of consumers in this country. Nay, the right hon. Gentleman, in introducing his bill, had declared that he did not believe that its effect would be in any material degree to reduce the price of corn to the people of this country. They had now made some progress with the tariff, and with regard to the principal articles of food, such as cheese and butter, though the right hon. Gentleman admitted that the duties were unquestionably high, and only defended them on temporary ground, yet added, that considering the state of the revenue, he could not consent to reduce them. He did not mean to say nothing had been done to reduce the price of some articles of subsistence, yet he might state, that what had been done was lamentably small and inadequate. They had now then to come to the sugar question. He did not mean to deny, that much good would be done by the tariff, but then the good would chiefly be through the slow increase of trade, rather than reduce the price upon articles of subsistence on any particular article. In the discussions in former years upon these subjects, he found that measures were rather recommended for the sake of increasing, than from any expectation that they would reduce the price of articles of subsistence; now, it appeared to him, that the right hon. Gentleman laid more stress upon the importance and practicability of lessening the price of articles of subsistence. He was, however, astonished to find, when such a stress was laid on that point in the face of the country, that very little would be accomplished in the way of reducing the price of articles of subsistence, while it was shown that considerable benefit would be done to trade. The article under discussion in importance, was next to corn—and by an alteration in the duties, they could immediately add to the comforts of the people. In this point of view he could hardly except corn, as to its importance, and he said it for this reason, that any alteration in the duty on corn could not at once and immediately effect a very great reduction in the price of food, caused by a supply of the article from other countries; but with regard to sugar the case was obviously of a different description. On this occasion he meant to avoid figures as much as he could. It was, however, notorious the difference of the price of sugar in England and in the continental nations near it, and that the difference was caused by high protecting and prohibitory duties. If the House was desirous, earnestly and anxiously, to grapple with that evil, which the right hon. Gentleman had admitted; if they wished to look at sugar as an article of subsistence, and were to find a practicable remedy for the present distress, he said that there was no one subject in the whole range of their commercial system to which the House could address itself, with the certainty of producing more immediate benefit, than by putting the sugar trade upon a rational and proper footing. It was clearly the duty of the House to make such alterations in the sugar duties as would insure to the people of this country the enjoyment of an article, not of mere comfort but of necessity, at a moderate and reasonable cost. Before he approached the other parts of this subject, he meant shortly to advert to the history of the sugar question for the last few years. Until within about ten years ago, though then our colonial possessions had nominally a monopoly, yet, from the circumstance of their producing more sugar than this country consumed, that monopoly did not produce those evils which generally followed from the existence of monopoly. There were not, in consequence of this state of things, two prices of the article—one upon that which was exported, and the other on that retained for use at home. The country suffered theoretically but not practically from the existence of the evil. During the last ten years, however, the case had been materially altered. The supply from our colonies had fallen off, and the cultivation of sugar in foreign countries had been greatly extended. So far, then, from our colonies having sugar to spare for foreigners, they had but a scanty supply for our own population. The cost of the article rose here, while foreign nations obtained it at a more reasonable price. He found, then, that in 1829 the question of the sugar duties had been brought before that House by a person eminently calculated, from his official situation and by his own high character, to give the greatest weight to his opinions. A proposal was then made by Lord Glenelg, then Mr. C. Grant, which was brought forward in conjunction with Mr. Huskisson, whose name had been so frequently quoted with respect by hon. Gentlemen opposite. And now he begged the attention of the committee to what that proposal was. Mr. Grant proposed that the duty on foreign sugar should be 28*s*. the cwt., on East-India sugar 25*s*. the cwt., and on West-India sugar 20*s*. the cwt. Since then they had very properly equalized the duties on East and West-Indian sugar; but then the House would perceive that the only difference between the foreign sugar was 28*s*. the cwt., and 20*s*. the cwt. upon British colonial sugar. Mr. Grant, in bringing forward this motion, made this very remarkable disclosure. He said that Mr. Huskisson and himself, as Members of the Cabinet of the Duke of Wellington, had submitted this proposal to their Colleagues in the Cabinet, and that no objections had been made to it in point of principle. The only objection was on point of revenue, and they felt assured that their plan was postponed for a year, only on account of the condition of the revenue. Mr. Grant went on to say, that great had been his disappointment to find it otherwise. Mr. Huskisson and Mr. Grant had, at this time, left the Cabinet, and they declared that they felt greatly disappointed when the present Chancellor of the Exchequer proposed, not the lower rate of duties, but the present duties, which it was still proposed to continue. He held Mr. Grant's speech in his hand, but did not mean to read it, unless the accuracy of what he then stated was disputed. When that proposal was made, a discussion took place which was well worthy of the attention of the House. The whole question was fully considered, and the right hon. Gentleman the Chancellor of the Exchequer, in opposing the proposition, did not object to the principle but to the loss of revenue. The right hon. Gentleman agreed as to the principles, and on the ground of revenue alone offered his opposition to it. He did not mean to disguise from the House, that a great change had taken place after that. He called the attention of the House to this circumstance, because now the right hon. the Chancellor of the Exchequer rested his opposition to the present proposal, on the ground that it would be for the encouragement of the slave-trade. As far as that circumstance was concerned, the objection might have been urged against Mr. Grant's motion in 1829. Then in 1834 they came to a revolution in the situation of their West-Indian colonies, caused by the great measure of negro emancipation. It was felt, he believed, in that House, and generally felt in the country, that there ought to be an unwillingness on their part, considering the social and commercial situation of their West-Indian colonies, to resort to any measure which might disturb the new system that had just been adopted. This was the ground for their conduct. It was not from the necessity of discouraging the slave-trade, but to allow a breathing time to their colonies, after the immense change forced upon them by the Legislature of the mother country. This constituted the sole, but still he thought this a sufficient, reason for Parliament not hastily introducing further changes. It was on this ground that he had two years ago resisted the motion of the hon. Member for Wigan, stating, however, at the same time, that he rested his opposition not on a question of principle, but of time. He had heard occasionally Gentlemen opposite declare that the conduct of the late Government on that occasion was such that it was a matter of great surprise to the West-India interest when they came forward last year, with the change that they proposed to make in these duties. No man, who had looked to the conduct of the Government, would, he was sure, make that assertion. He begged to remind those who made the assertion, that Lord Sydenham had, four years ago, distinctly announced his opinion that they should consider the sugar duties, with a view to their alteration; at any rate when the question of the Brazilian treaty should come to be considered, if not before. He knew the impression that declaration had made upon the planters, connected with this matter; and although Gentlemen in that House might have been taken by surprise, neither the colonial nor the commercial interests were taken by surprise. He remembered that when he was at Liverpool three years ago, a deputation of West-India merchants had waited upon him, on account of this speech of Lord Sydenham, and expressed to him the hope, that his opinions were not those of his predecessor, and they then gave expression to their fears and apprehensions in the matter. He was not able to give them such an assurance, and he was afraid they had left him a good deal dissatisfied with the opinions he expressed. He remembered that when the right hon. Member for Portsmouth brought forward his motion, with respect to the sugar duties, and the right hon. Gentleman, the now Chancellor of the Exchequer, after stating his suspicion at such a proposition, produced petitions from various parishes in Jamaica, in which they, in the strongest language complained that Government was about to take a step that would be ruinous to them. He had always thought that it was just and proper that they should give a breathing time to their West-Indian Colonies, after the great experiment of negro emancipation; he had also felt that the time must come, and was fast approaching, when, in justice to the people of this country, and injustice to those particular interests themselves, it would be right and fitting in Parliament to deal with the sugar question. It was in accordance with that, that the Government, of which he had the honour to be a Member, made the proposal last year, which was not so fortunate as to obtain the support of the Legislature; and he must say, that the reasons that then existed for Parliament making a change in the sugar duties were at least in as full force now. They must recollect that as they were now considering the question, it was not disconnected with the other commercial interests of the country. They were now engaged in a Session in which it was proposed by the Government itself, that the whole of their commercial system should be put upon a sound and intelligible footing. They had, at the instance of the Government, made alterations which were held to be necessary and just for the interests of the community at large. He could not disguise from himself that certain protected interests had been deprived of the protection they had heretofore enjoyed, and he held that those principles of justice ought to be applied to other protected interests. The mining interests of Cornwall, and other interests likewise, would have a right to complain, if having dealt with them, the Government refused to deal with other interests also, for instance, those interests which were affected by the sugar duties. On these grounds, he had complained of the conduct of the Government with respect to the Corn-laws, but these objections applied with increased force to the course they proposed to take with respect to the sugar duties. But they were told by the right hon. Gentleman opposite, that the present state of the sugar trade, and the present prices of sugar were so satisfactory, that they might be perfectly content to leave things as they were, for the present year; that the people would have sugar at a moderate price, and that they would suffer no inconvenience from leaving the sugar duties as they are for the present year. He confessed, that when he looked at the figures they would not bear out the statement of the right hon. Gentleman on this subject. The right hon. Gentleman, the Chancellor of the Exchequer had told them, that sugar was now at a low price in this country. He must say, that it appeared to him, that the right hon. Gentleman spoke rather in his character as a West-India proprietor than of Chancellor of the Exchequer, when he said, that the present price of sugar was such as ought to satisfy the House, or was one which ought to be satisfactory to the people of this country, as the price of an article of subsistence. One would suppose, from the statement of the right hon. Gentleman, that within the last few days, a great fall must have taken place in the price of sugar. He found, by the *Gazette* of the 25th May, that the average price of Muscovado sugar in bond was 39*s.* 5½*d.* per cwt. At the same period last year, the price was 38*s.* 2½*d.* per cwt. This was a rise of rather more than 1*s.* per cwt., as compared to last year. [Mr. *Gladstone:* Take the prices of other years.] Perhaps it would be the better way that he should take a wider range of price. He would take the prices of the first months of 1841. The prices in the beginning of 1841 were as follow. In January, 48*s.* 10*d.* per cwt.; in February, 37*s.*; in March, 39*s.* 2½*d.*; in April, 38*s.* 11½*d.*; and in May, in the first week of that month, 41*s.* 1¼*d.* per cwt. All that he meant to infer from this was, that of late the price had been ranging high in the sugar market of this country, and he certainly did not think, that it could be safely asserted, that the price of sugar in this country was satisfactory. He also thought, that it was quite clear, that those violent alterations of price were the result of the mode in which the sugar market was supplied. If the sugar market was supplied from other countries, a steadiness of price would be produced; they would not have those alternations of price from week to week, of from 2*s.* to 3*s.* per cwt. But what was still more important, was the comparative price of sugar abroad, as compared with the price of sugar in this country, at the present moment. This would show the disadvantage which the people of this country laboured under with respect to the consumption of sugar. He believed, that the species of sugar which could be most favourably compared with the Muscovado sugar of the West Indies was the sugar of Porto Rico. Now, he believed, that the price of Porto Rico sugar at this moment was about 19*s.* or 20*s.* per cwt., being as nearly as possible about half the price of West-India sugar. Of course, the difference between 39*s.* and 19*s.* was caused by the additional cost which our prohibitory system imposed on the people of this country, in respect to the consumption of sugar. The next point adverted to by the right hon. the Chancellor of the Exchequer, was the probable supply of sugar for the present year. The right hon. Gentleman had told them that they should have an ample supply—that more would come than they had last year—and that there was no fear of a want of the article being felt by the people of this country. They were assured by the right hon. Gentleman of an abundant supply. He had not such means of access to information as the right hon. Gentleman enjoyed: however, from the information that he had access to, that he could not come to the same conclusion on this question with the right hon. Gentleman. It depended very much upon the prices in this country what would be the quantity sent from India. It was only sent from thence when attracted by a high price here. The supply, then, from that country depended upon the sugar market here. He was inclined to think, from what he had heard, that the expectations of the right hon. Gentleman would not be fulfilled, in the manner he had stated. As far as the supply had hitherto gone on, the falling off in the quantity of sugar imported during the first four months of the present year, as compared with that received during the same period of the previous year, was very considerable. He held in his hand a statement of the importations of sugar from the West Indies, during the four months from the 5th of

January to the 5th of May, in the years 1841 and 1842. In 1841, the amount imported during the four months, ending May 5, was 314,000 cwt.; in 1842, it amounted only to 240,000 cwt. The supply of Mauritius sugar during the same period was, in 1841, 303,000 cwt.; in 1842, it was 244,000 cwt. In the supply from British India, the falling off was still more remarkable, during the same period. In 1841, it amounted to 483,000 cwt.; in 1842, it was only 296,000 cwt. In 1842, the quantity of foreign sugar taken out of bond for consumption was greater than the amount taken out in the previous year, so that we must have been drawing largely on our stock, and that stock must have been diminished by upwards of 320,000 cwt. since last year. He found this opinion confirmed by a document entitled to every credit—the circular of Messrs. Trueman and Cooke, which was dated the 1st of June, and was intended to be despatched per the overland mail, to their correspondents in India. That document stated that:—

> "The actual circumstances affecting the sugar trade did not warrant the fall in prices which has taken place. The dealers, both in town and country, held very diminished stocks. The imports to this date are short of those for the corresponding period of 1841, having been of the three sorts, 76,000 tons, against 80,000; and the deliveries for home consumption show an increase of 4,000 tons, amounting to 64,500, against 60,500: whilst the stock is less by 12,000 tons, say 36,000 against 48,000."

In this authority, then, it appeared that the stock of sugar at present in the country was less than it had been in the corresponding period of last year by upwards of 12,000 tons. He was relieved from the necessity of addressing the House upon many points of the subject, because he could not but refer to the altered tone and state of argument of Gentlemen opposite during the present year from that which was apparent in their opposition to the alteration in the sugar duties proposed during last year. Then they pressed arguments of every sort into the service. For instance, such arguments as the necessity of attending to the interests of the East Indies were then much insisted upon; and he was told, when he spoke of the Brazils, and of the importance of the trade with Brazil—he was told that he seemed to be more careful of the interests of those on the banks of the Amazon, than of those of the hundreds of millions of our subjects upon the banks of the Ganges and the Indus. This was the case last year; but such arguments would not serve at present; they would be inconsistent with the language which he had heard from hon. Gentlemen opposite. They had now avowed their opinion that monopoly was not even advantageous for the interests which were said to be protected, and, therefore, if he was to be told that a great interest was growing up in the East Indies under the operation of protecting duties, if he was to be told of the supply to be received from chance, he felt entitled to appeal to the newly-formed opinions of hon. Gentlemen opposite, and to ask them to reflect whether there was no danger in allowing that great interest to grow up, under a system which they avowed it was impossible permanently to preserve and maintain. There was another reason why he thought that the present occasion was one in which the House could with peculiar propriety take the opportunity of revising the sugar duties. A bill had been introduced by the right hon. Gentleman the Vice-President of the Board of Trade, which would considerably alter the situation of our West-Indian colonies with regard to the cultivation of sugar—he meant the Colonial Customs Duties Bill. That bill bore a close resemblance to a measure of his own, which he had the honour of introducing last year, and was a measure which he felt should be a necessary concomitant of any alterations in the sugar duties. He had felt that it would be wrong in them to maintain a restrictive system in the West Indies, and at the same time to subject those colonies to foreign competition with regard to the great staple articles of the country: and, therefore, on that account, and on general principles of justice and equity, he had felt it to be his duty to introduce a measure of that nature to the House, and he rejoiced that a similar one had been brought forward at the present time. But in agreeing to that measure they were giving a great boon to the West Indies. The West-Indian proprietors had fully estimated the amount of evils which the restrictive system had imposed upon them, and the additional cost in the production of sugar consequent upon it. The subject attracted the attention of a committee which sat on the subject of the West-Indian colonies in 1831, and reported as follows:—

> "The commercial restrictions are said to impose an annual charge upon the West-India

colonies of no less than 1,392,353*l.* This sum being apportioned to the several articles of West-India produce, the charge upon sugar is stated at 1,101,000*l.*, and as the sugar imported is 3,972,387 cwt., the burden upon each cwt., by this mode of calculation, is 5*s.* 6¾*d.*"

This was perhaps a somewhat exaggerated statement, but it was impossible to deny that a serious burden was imposed on the West Indies by these restrictions. If hon. Gentlemen had the curiosity to look at the prices in the market of Kingston, Jamaica, for the last few years, they would find that the prices of the necessaries of life there were nearly 200 per cent. higher than in London. In fact, they had made Jamaica one of the dearest countries in the world; every article of subsistence, such as flour, fish, &c, and those articles which entered into the manufacture of sugar, were immoderately dear in Jamaica. There was no natural cause for this, for Jamaica was situated at no great distance from the mouth of the Missisippi, from the Chesapeake, and from the Spanish Main, all countries able to supply her, and he was glad to believe that when the measure referred to had been carried, Jamaica would not only cease to be the dearest, but become one of the cheapest countries in the world as respected the prices of articles necessary to subsistence. He had thought it right to advert to this circumstance because he thought that the passing of this measure was a fit opportunity for the House to cease to delay longer measures of justice to the people of this country, and which could now be carried into effect without hurt to the West Indies. He had now come to the main objection of hon. Gentlemen opposite to his proposition, and that was the alleged encouragement that would thereby be given to slavery and the slave-trade. He hoped that he was not insensible to the force of this objection; but if he believed that it was really substantial—however great he might feel that the importance of placing the sugar duties on a fair and equitable footing was—he would not press his proposition. He certainly could not agree with those who thought that this country should abandon what he believed to be a principle so honourable, so highly creditable to it in attempting to use its great influence in restricting and abolishing a system so detestable as that of slavery. But he could not believe that they were called on to make such a sacrifice in order to arrive at the object which he wished to see attained. He supposed that when hon. Gentlemen talked of making commercial treaties with foreign nations which would enable them to relax, they meant, amongst other countries, the Brazils. He would, therefore, call the attention of the House to the situation in which they stood with reference to the Brazils. They had had now for some years in operation a very advantageous treaty with that country; it was a treaty too advantageous to one party. It was a one-sided and unfair treaty. It was concluded when the Brazils were struggling for independence, and this country had no interest in pressing treaties of such a description. The treaty was this—the Brazilians were obliged not to impose any duty on articles of British manufacture higher than 15 per cent. *ad valorem*; but there was no corresponding stipulation on our part with respect to Brazilian produce; and all we agreed to was, to place their produce on as favourable terms as that of other foreign nations. This treaty had caused great irritation in the Brazils. It interfered with their financial arrangements. Like the people of all new countries the Brazilians were not fond of direct taxation, and they raised their revenue by means of import duties. But they found that this treaty stood in the way of every financial scheme they could construct, and the consequence was a feeling of great soreness upon their part. This treaty expires in 1845, as we said, but in 1842 as the Brazils insisted; and it was of great importance, for they would recollect the extent of the trade with the Brazils, that before the treaty expired, some new commercial arrangements should be made. The danger they had to fear was this—the Brazilians were irritated with this country on account of a restriction to a duty not exceeding 15 per cent. which they were accustomed to lay on our manufactures. They were also irritated by observing the different manner in which we treated Brazilian produce on its importation into this country. They said that it was very hard that, whilst they admitted English manufactured goods, their sugars were excluded from our markets. In fact, great irritation existed upon this subject, and what was to be observed was this, that they would refuse to have another commercial treaty, and would impose discriminating duties favourable to the manufactures of foreign nations, and unfavourable to those of ours. Such were the measures which the state of public feeling in the Brazils was likely to produce. He believed that it would not be desirable to put off negotiations with the Brazils until the last moment. He himself had felt this so strongly, that in conjunction with his noble Friend, the late Secretary of State for the Foreign Department, he had come to the conclusion that it would be desirable to remit something in point of time with regard to the duration of the treaty, if by doing so we could obtain an arrangement by which the commercial relations of the country could be put on a permanent and equitable footing But hon. Gentlemen opposite said, that this was a reason for delaying to make any alterations in the sugar duties. He met the objection by saying, that he believed they would be in a more favourable position to negotiate with the Brazils on matters of commerce and matters relating to slavery and the slave trade, after they had made these alterations in the sugar duties, than before. He was not contending as to whether this was or was not the proper course to be pursued. It might be said, they would not be bound by any treaty if they delayed. They would then be free to act as they pleased. Nothing could prevent them from making distinctions in duties with regard to countries keeping up the slave-trade. He was not saying whether or not such a course would be advisable; there was much to be said and to be considered before it or any other should be adopted; but if they wanted to make use of the sugar duties as a means of obtaining commercial advantages, or advantages in stipulation with respect to the slave-trade with foreign countries, he believed that they would be in at least as advantageous a position after making the proposed altertions as before, for then the Brazilians would have felt the advantages and tasted the benefits of regular commerce, and we should have raised up interests in the Brazils which would sensibly feel any interruption of commercial relations. But if hon. Gentlemen should doubt the propriety of this opinion, he thought that that doubt should be very strong indeed, and the views on which it was founded equally clear, before they would refuse what was a boon to the Brazils, and an act of justice to the people of this country, upon mere speculative views with regard to the possible effect of treaties with foreign nations. With reference to the West Indies, if he should be told that the delay was made with reference to their interests, he would take the liberty of quoting the opinion of one whose authority would not be suspected in that House. He held in his hand a pamphlet written by a gentleman whom he had often seen before committees of the House in matters connected with the West Indies, where he always appeared as one of the most ardent opposers of slavery in all its forms. He meant Mr. Joseph Gurney. That gentleman stated, with reference to the subject of reducing duties on sugar:—

> "It seems clear that the tendency of such a measure would be to bestow universal benefit, with ultimate injury to none. It would concentrate labour and capital upon the most productive soils, compel the general introduction of more economical systems of management and cultivation, reconcile masters and servants by a common perception of mutual interests, and a speedier settlement of rights and duties on a permanent basis, and it would restrain the passion for monopoly prices, in the only way in which, apparently, it can be corrected, by refusing, under any cloak or colour, to pay them. So far, in short, from such a measure interfering with the real experiment, or checking the permanent prosperity of the colonies, it appears to be the natural sequel to past efforts, and eminently calculated to render them completely successful."

Although the right hon. Gentleman, the Chancellor of the Exchequer, had mainly rested his opposition to the proposed alterations in the sugar duties on the encouragement which he alleged such alteration would give to slavery, he had also alluded to the question of revenue. Now, he was not prepared to deny that if the reduction which he proposed should be adopted, some loss to the revenue might for a year or two be expected, but he believed that there was no article on which you could make the experiment of reduction with greater certainty that the revenue would speedily recover from its effects than sugar. There was no article of more extensive consumption, none of which the consumption was more checked by the present restrictive duties; and such being the case, there was no article in which an experiment could be made with greater safety; and therefore, he thought the right hon. Gentlemen the Chancellor of the Exchequer was not right in laying so must stress on considerations connected with the revenue. The motion which he should make differed from the proposition of the late Government in this particular, The duties he proposed were 30*s*. upon foreign and 20*s*. on colonial sugars. Last year, the Government intended to have let the duties on colonial sugar at 24*s*., and on foreign at 36*s*. per cwt. Their object was, then, to secure an increase to the revenue. The budget, as it is called, was based on the ground that they must have a certain amount of revenue from sugar, and they did not say that they should not derive additional revenue from colonial sugar, but they thought it right by reducing the duties on foreign sugar to insure an increase of the revenue. They would not have been justified in trying a bolder experiment, and they were not, therefore, able to adjust the sugar duties as on principle they should have been desirous of adjusting them. But now circumstances were different. They had an Income-tax imposed on them, and if the country was obliged to bear the evils of such a tax, let them take from other sources what benefit they would derive from that tax being imposed. That the Income-tax would be more productive in its results than the estimates of the right hon. Baronet, who brought it forward, was very generally believed; and under all the circumstances of the present position of the country, he believed that no time could be more favourable for trying the experiment with the sugar duties. He would only add, that there was another reason why they came to the consideration of the question under favourable circumstances. An hon. Friend of his, who did not appear to be in the House, and he was sorry for it—the hon. Member for Nottinghamshire (Mr. Gally Knight) had lately stated what were the grounds on which he and hon. Members of his party had voted against the psoposed reductions on the sugar duties, that hon. Gentleman had said—"Don't suppose that we are such narrow-minded, contracted people, as to object to the alterations in themselves in sugar, or in coffee or timber. That was all very well for last year, but now we are expressing opinions which we have always really entertained." Our vote against the reduction of the sugar duties was a vote against revolution. And so the hon. Member went on, in a highly dramatic style—timber meant Popery, and sugar revolution; and we were really opposing a Government, compounded, as some believed, of Radicalism and Popery. Now, hehoped that the hon. Gentleman in question would come into the House before the close of the evening, because he thought that he had a right to his vote: how, indeed, after his speech, could he think otherwise. And if there were any other Gentleman who voted on the same principle as the hon. Member for Nottinghamshire, he trusted they, too, would act as he hoped that the hon. Member would. He would conclude by reminding the House, that they were called on to determine this question at a period which was admitted to be one of great public distress. The Government had advised her Majesty to issue a letter, in which her Majesty had called upon the more wealthy to contribute to the necessities of their poorer fellow-countrymen. He had no doubt but that that appeal would be responded to with that liberality which the wealth and property of this country had always treated such appeals; but he would venture to say, that the House had now an opportunity of conferring a boon, and affording a relief immeasurably greater than could be effected by chance contributions, if it would accede to his motion. By doing so, they would be opening new channels for trade; they would at once reduce the price of one of the greatest necessaries of life, and which entered into the consumption of every family removed above absolute poverty. It was with great disappointment that he had heard the right hon. Baronet at the head of her Majesty's Government announce, that in the revisal of our commercial system, he intended to exclude from change the sugar duties. He feared that this had been done rather from the necessity of adhering to the system supported by the party last year, than from the conviction of the soundness of the reasons alleged to-night. Sure was he that the course which Government had adopted was inconsistent with the principle announced by the right hon. Baronet, the First Lord of the Treasury, in the discussion upon the tariff, and inconsistent with the desire which the right hon. Baronet professed, and for which he gave the right hon. Baronet full credit of cheapening the price of the primary articles of subsistence. But if the Government turned a deaf ear to the arguments which he had addressed to them, he must turn to the House and ask them, whether they would be doing their duty to their constituents, in refusing to accede to an alteration in the sugar duties—whether they could refuse to follow that course which was in accordance with principles of trade, now acknowledged to be sound and reasonable, and which would confer an incalculable boon on the commerce of the country and on the entire population? The right hon. Gentleman concluded by proposing, as an amendment, that the duty on foreign sugar be reduced to 30*s.* per cwt., and on colonial sugar to 20*s.* per cwt.

Mr. *Gladstone* observed, that the right hon. Gentleman had in his speech to-night congratulated himself upon the circumstance, that those who concurred in opinion with the Government must abandon those arguments with which they had combatted the proposition of the late Ministry last year upon the sugar duties; he confessed he could not see any reason the right hon. Gentleman had for congratulation upon that head, although he saw reason to congratulate the House upon the propriety of the curtailment of those arguments. When he recollected that they had last year extended three debates upon this subject over a period of ten nights, he was induced to hope, that in his reply to the right hon. Gentleman he might be permitted to shorten the review he proposed to take of those arguments, without its being inferred that he either abandoned or modified the arguments themselves which had been made use of last year upon a similar proposition by the Ministry, of which the right hon. Gentleman then formed a part. He begged to remark there was no question raised upon the commercial principle involved in this discussion. That had been left untouched by his right hon. Friend, who had contended that the case was from peculiar considerations taken out of and an exception to the general principle; that its connection, in fact, with the continuance and promotion of the slave-trade in foreign sugar-growing countries prevented its being made a mere matter of commercial regulation. It was upon that ground his right hon. Friend had resisted the proposition of the noble Lord last year, and it was upon that ground that he himself should resist the proposition of the right hon. Gentleman to-night. The question for the consideration of the committee was, whether the arguments made use of upon this part of the question had lost, from any alteration in circumstances, that force which had then been given to them by the House of Commons; whether there were not reasons connected with morality and humanity which ought to operate with the Legislature, so as to make this case of slave-grown sugar a temporary exception to the principles which had actuated his right hon. Friend in the revision of the tariff. The right hon. Gentleman had mentioned that he saw reason to regret that the alterations in the tariff bore so little upon articles of actual subsistence. Here they should not lose sight of what was in the power of the Government to give; and certainly he thought, that the best exercise of discretion in what they had to give was to relieve from taxation and to lessen the price of imported articles connected with the industry of the country. It was of great and paramount importance, in his right hon. Friend's view of the subject, to lower the prices of the materials of our national industry, and set trade in motion by this means. He would recall their attention to the course Parliament had pursued in the year 1829 upon the motion of Mr. Grant proposing a reduction of the duty on foreign sugar to 28*s.* and of that on our West-Indian sugar to 20*s.*, which would have left a protective duty to our colonists of only 8*s.* per cwt. The then Chancellor of the Exchequer opposed the proposition of Mr. Grant upon the ground of the loss it would occasion to the revenue. The right hon. Gentleman, taking this into his view, had to-night charged the Government with inconsistency in resisting his proposition for reducing the duty to 30*s.*, which gave our colonial interest a protecting duty to the extent of 10*s.* per cwt. Now, he conceived, that there could be nothing more dissimilar than the two cases, the one being intended as a protective, the other as a prohibitory duty. The argument then used was, that there was a greater difference in the price of our colonial sugar above that of the foreigners' produce than amounted to the 8*s.* duty which Mr. Grant would have imposed. If it had been proposed to alter the duty on foreign sugar, that answer would have been sufficient; but the answer was, if we lower the duty we shall lose in the revenue. The argument, therefore, which the right hon. Gentleman had adduced to show the inconsistency of the Government, proved that there was no inconsistency whatever. Another point touched upon by the right hon. Gentleman (incidentally, he believed, for it was not connected with the general argument) was the Colonial Customs Bill. The right hon. Gentleman said, that as they were about to remove or remit duties on the imports into the western colonies, that circumstance added importance to his motion, and that the change should be made in respect to sugar at the present time. But if the argument of the right hon. Gentleman was that the change in the sugar duties should be contemporaneous with the changes to be effected by the Colonial Customs Duties Bill, he should have reserved the question for next year, because that bill would not take effect until that time. He would not dwell upon this point, but pass on to the other matters referred to by the right hon. Gentleman. The right hon. Gentleman appeared to think that no general stand would be made in resisting this motion upon considerations of revenue. Now, on the contrary, he would state at once to the right hon. Gentleman, that there was a conclusive objection upon the part of her Majesty's Ministers to the adoption of this motion upon the ground of revenue alone, independent of all other considerations. If it were safe for his right hon. Friend at the head of the Government to adopt those smiling assurances of the right hon. Gentleman, and to assume, that he would obtain a larger amount of revenue from his Income-tax than had been calculated upon; and if he had framed his financial estimate, not on his own responsibility, but on the responsibility of individuals not connected with the Government, he admitted, that in that case no such argument could be raised; but if they took the estimate of the finances for the ensuing year, which had been laid before the House as a *boná fide* estimate, the proposition then submitted by the right hon. Gentleman was, he contended, inadmissable, even upon financial grounds alone. The right hon. Gentlemen had carefully avoided entering into these important considerations with any degree of minuteness; and had not produced any calculations to justify the opinion he had formed. The right hon. Gentleman had assumed, that upon financial grounds no opposition would be taken to the plan he had submitted. He had endeavoured to consider the effect which the plan of the right hon. Gentleman, if carried into immediate effect, would have upon the finances of the country, and he would venture to say, that it was his intention to state the grounds upon which that opinion rested—that it was not an extravagant supposition, that the effect of the adoption of that plan would be to occasion a deficiency in the estimated revenue for the ensuing year of 600,000*l.* At all events it would be a most liberal estimate if he took the deficiency at 400,000*l.*, for which no provision whatever had been made. The net revenue obtained last year from the article sugar was 5,114,000*l.* The right hon. Gentleman (Mr. Labouchere) commenced by saying, that the alteration he propoposed would, by lowering the price, cause a material increase in the consumption of sugar. No doubt there would be an increase, but if there were no increase in the consumption the loss would be 852,000*l.*, and the whole amount of revenue from sugars would be only 4,262,000*l.* Then what was the increase in the consumption upon which they might safely calculate? To ascertain this they must look to what the consumption had been in former years as compared with the prices of those years, paying some sort of attention to the prices which the plan of the right hon. Gentleman might be expected to produce. The right hon. Gentleman had not ventured upon any estimate showing what the probable reduction in price under his plan would be. The elements of such a calculation, however, were not, he apprehended, very remote, but in making such a comparison, and endeavouring to ascertain the consumption of former periods of low prices, they must consider also the general prosperity of the country, and the state of trade and employment was not, he found, such as would warrant them in assuming that any very great increase would take place beyond the estimate of those years, allowing for the increase of population, but rather the reverse. On the other hand, the habits of the people had taken a direction which would, he thought, tend to make some increase on the consumption of former periods. The right hon. Gentleman had said that the brown and yellow sugar of Porto Rico might be had at 20*s.* a cwt. in bond. The alteration proposed by the right hon. Gentleman would of course, if carried, occasion some increase in that price, and he thought he should not estimate that increase too highly if he assumed that they could get foreign sugar in this country, exclusive of the duty, at 23*s.* a cwt. The right hon. Gentleman then adds a duty of 31*s.* 6*d.*, bringing the price of the foreign sugar in the British market to 54*s.* 6*d.*, and the price would of course regulate the price of colonial sugar. Now there had been times when they had enjoyed a low price of sugar, and when that article had been cheaper than the right hon. Gentleman supposed it would be under his plan. From 1830 to 1832 the price of sugar, duty included, had been as follows:—

	s.	*d.*	
1830....... ..	51	11	per cwt.
1831.........	47	8	—
1832.........	51	8	—

The average price of the three years being 50*s.* 5*d.* per cwt. The average price which might be expected to be produced by the scheme of the right hon. Gentleman was 54*s.* 6*d.* the cwt., or 4*s.* 1*d.* higher than the average price of the three years. He by no means deprecated such a reduction in the price of sugar; but he was now anxious to form some judgment as to what would be the increase in the consumption to meet the deficiency in the revenue, which the plan would immediately occasion—a decrease of upwards of 850,000*l.*. He had shown them that the average price of the three years ending 1832 was 4*s.* lower than that which the right hon. Gentleman would give them; and it was certainly not unfavourable to the position of the right hon. Gentleman to say that under his plan the consumption would be as much per head as in those years of low prices which he had quoted. Was that an unfair basis for the calculation? The consumption of sugar in this country in the years he mentioned had been 25½ pounds per head per year; and in 1841, when sugar was very much dearer, the consumption had fallen to 24½ pounds per head per year. They must then add one pound per head on the population of 1842 upon the consumption of that year to get at the consumption of 1842. This would give an addition of 18,666,000 pounds, or rather more than 8,332 tons. This would be the increase which they might fairly expect for the first year under the plan of the right hon. Gentleman. Then what would be the amount of duty upon this increase? And here it must be remembered that that duty would not be obtained from foreign sugar exclusively; for while the British possessions produced sugar not more than sufficient for the consumption of this country, it would be sold in the British market let it bring what price it might; for the British producer would naturally prefer to sell here, with the advantage of the 5 or 10 per cent. protection, whatever it might be, rather than take his sugar abroad to an unprotected market. No very considerable quantity of foreign sugar, therefore, could be expected to come in so long as the British colonial possessions produced sufficient for the demand at home. But, assuming that one-half of this 8,300 tons to be British, and the other half foreign, they would thus have an addition of 4,100 tons brought in at the 20*s.* duty and the 5 per cent., producing to the revenue about 87,000*l.*: and 4,100 tons of foreign sugar at the 30*s.* duty and the 5 per cent., producing to the revenue about 130,000*l.* Thus the whole increase to the revenue would be something more than 229,000*l.* to set against the 852,000*l.*, which would be the loss were there no increase of consumption, making an actual deficiency of 623,000*l.* in the year. What he was now endeavouring to show was that upon the score of revenue alone there was the most conclusive ground for the rejection of this motion; and if he were to allow that the consumption of sugar per head would be greater at the price of 54*s.* 6*d.* per cwt. than it had been when the price was 50*s.* 6*d.*, still the fact of the deficiency would remain; and even if they doubled the sum he had named they would have still to deduct 436,000*l.* from the 852,000*l.*, and in the very outset there would be a clear deficiency of 416,000*l.* in the estimated revenue of the year. The right hon. Gentleman, therefore, was clearly wrong in assuming that no objection would be taken to his plan upon financial grounds. He would now turn to the case of the consumer. The plan proposed by the right hon. Gentleman would give to the consumer a price of 54*s.* 6*d.*; the price he was now paying being 62*s.* 4*d.* The *Gazette* average at the present time gave a price of 37*s.* 1½*d.*, the duty bringing it up to 62*s.* 4*d.* The right hon. Gentleman had quoted the averages of several weeks in the present year, as showing that the high prices of sugar to the consumer still continued. He had made calculations from the averages of the present day, and from those it would be seen that a considerable reduction had taken place. In 1841, the average price throughout the year, as shown by the *Gazette*, had been 39*s.* 7*d.*, exclusive of duty, while the general average for the present year down to the 31st of May, was 38*s.* 2*d.*, being a fall as compared with the prices of the former year. The right hon. Gentleman would then have by his plan a reduction in the price to the consumer from 62*s.* 4*d.* to 54*s.* 6*d.*, a difference of 7*s.* 10*d.* Let it not be supposed, that he undervalued or failed to appreciate that reduction, but falling short, as it would, of 1*d.* per lb., it was not, he thought, a reduction from which the right hon. Gentleman could hope to obtain any very great increase in the consumption. Then came the question, what were the expectations which they might reasonably form of what would be the produce of the British possessions for the year? There had been much discussion upon this part of the subject last year, and it was admitted to be a most material item, for, considering that a high price of sugar was a cruel oppression to the poorer classes, it was of the highest importance to provide a sufficient supply at a moderate price. It was all very well to say, that the standard of comfort in this country was higher than in foreign countries, but when the habits of the people had arrived to that high standard, as compared with the people of other countries, there was still great suffering and distress, when from any cause that standard was reduced; and although after that reduction the standard of subsistence here might still be higher than in foreign countries, still it was vain to say, that much distress and suffering was not occasioned. It had been thought during the discussion of last year, that there was reason to anticipate (and they had still more reason to anticipate now), that there would be such an increase of production in the British possessions as would supply, or nearly so, the demands of the home market. Now, how had that anticipation been justified? The imports of last year, from the British colonies, had been 205,000 tons; the consumption for the same year was 202,000 tons. The estimates, therefore, which had been made, when the discussion took place, had been verified by the result. And here he might be permitted to say, without any desire to offend hon. Gentlemen opposite, that it was owing, in a great measure, to the late Government, that the supply from our colonies last year had not been much greater than it was. In the month of May, that Government raised the question of a great change in the sugar duties. The news of this intended alteration went out to India immediately. The supply from the West Indies would not, perhaps, be much affected by it, but in the East Indies the case was different. Very much of the sugar manufactured there would be consumed in that part of the world, and would only come to the British market, should the price in that market offer a better remuneration to the grower than he could obtain at home. In the month of June or July, the news of the intention of the Government arrived in India, and it was not until October or November that the growers there could hear of the issue of the elections in this country, or could calculate upon the postponement of the plans of the late Government; this circumstance must have reduced very considerably the exports to this country from the East Indies. There was now, however, every reason to believe that the imports from the British possessions this year would be considerably greater than they were during the last, and that the supply would be quite equal to the consumption. It was quite true, as the right hon. Gentleman had stated, that there had been some deficiency in the quantity of sugar imported in the present year up to the present time. That deficiency, however, had been by no means great. The right hon. Gentleman in making his statement had taken the imports to the end of the month of April only, but if he had included May, he would have found, that the arrivals in that month went far to remove the deficiency, to what extent he could not say exactly, as he had not yet received all the accounts for May. He would state what had been the arrivals in the two great ports London and Liverpool. He would take the first five months of the year 1841, and the first five months of the present year. In 1841, during the first five months, the imports of sugar from the West Indies and the Mauritius, had been 703,500 cwts, and from the East Indies 537,000, or 62,000 tons in the whole. In the present year, during the same time, the imports had been, from

	Cwts.
The West Indies and the Mauritius .	734,000
And from the East Indies . .	377,000
	1,111,000

or 55,000 tons, being 6,500 tons less upon the five months than the imports of the preceding year, and not 12,000 tons (which was right up to the end of April), as the right hon. Gentleman had stated; and that deficiency of 6,500 tons would be more than made up by the recent arrivals, and the sugar now on its way to this country. He was now speaking from returns of the customs furnished to him that morning from the two great ports of Liverpool and London. They found from inquiries they had made, that the arrivals this year would exceed the last, both from the West Indies, the Mauritius, and the East Indies; but with regard to the latter, it was founded on the supposition that the proposition of the right hon. Gentleman should not be known to be on the carpet in England, except by the same mail that carried out the news of its rejection. Supposing their calculations were correct, to about the same degree as their calculation of last year had turned out, they might expect 218,000, or 220,000 tons; he thought therefore therefore there was no apprehension to be entertained of a rise in the price of sugar, but that they might, on the contrary, look forward rather to a diminution, independently of the fact that the money price of this month was lower than that of last year,—lower, independently of the difference occasioned by the improved quality of the sugar. He hoped he had made good that part of the argument, which shewed that however important it was to give to the people of England sugar at a lower price than that of late years, still there was no such urgency in the case as there would be if there was a rise, or any apprehension of a rise, resulting from a deficiency of the supply of British-grown sugar. He would now address himself to a material alteration in the plan now submitted by the right hon. Gentleman, as compared with that proposed last year, and which the right hon. Gentleman had failed to notice. The right hon. Gentleman would leave a protection on British sugar of 10*s*., but he had discarded altogether the plan of his right hon. Friend of last year, which proposed to give a protection of 12*s*. as against the inferior description of sugar but 18*s*. as against the superior sorts. Here was six additional shillings of protection which the right hon. Gentleman had not noticed. That was not consistent with the arguments of the right hon. Gentleman, or with the position he had taken. For he applied the 30*s*. duty, uniformly and indiscriminately, upon all the qualities of foreign sugar which would come in; leaving the British producer altogether without protection in that respect, contrary to his own intentions. That difference of duty was more than counterbalanced by the quality of the sugar that came from Cuba, in the manufacture of which cheap labour was employed to an extent that the British producer could not compete with. If they were to place a uniform rate of duty, *ad valorem*, on sugar from the West Indies and from Cuba, that would not be more unfavourable to the British producer, so far as he was competing with Cuba, than the plan by which the right hon. Gentleman had now overlooked—he would not say overthrown—the discriminating duty proposed last year by the right hon. Gentleman the then Chancellor of the Exchequer, between the inferior and superior sorts of sugar. The right hon. Gentleman's plan would give a protection altogether nominal to the British-grown sugar as against the foreign slave-grown sugar, which would be more than counterbalanced by the difference in value. Then the right hon. Gentleman assumed—and he was right in that assumption, though not in his hope that no other argument fatal to his proposition would be advanced—he had assumed that great stress would be laid on the effect which his motion, if successful, would have in stimulating the production of slave-labour sugar, and consequently giving encouragement to the slave-trade. He had said with great sincerity, he admitted, that if he could believe such an effect could be produced, he would be the last man to advance such a proposition. The right hon. Gentleman had stated that if by his proposition a stimulus should be given to the slave-trade, he would at once abandon it. And, certainly, if it were true that the slave-trade would be stimulated by the proposition, the right hon. Gentleman could not press it with the view of giving relief to the consumer, because he admitted there lay, on the other hand, an evil in the extension of the operation of slavery; but could there really be any doubt on the subject as to the effect of the right hon. Gentleman's proposition? The hon. and learned Member for Bath (Mr. Roebuck) had contended in the course of the night that we now encouraged the slave-trade in the Brazils as much as if the proposition to equalize the duties was adopted. If so, what became of the proposition? for the whole argument was to open a new trade with the Brazils, and give encouragement to their productions. They were told that the average duty on sugar in the British market was 38*s.* and 39*s.*, and on bonded sugar 18*s.* and 19*s.*, and could it be a question of dispute whether the opening of the market at 39*s.* to the man accustomed to sell at 19*s.* was or was not a boon, and, whether it would not induce him to send in larger quantities than he had done previously? He apprehended the right hon. Gentleman would not deny that it would be a very great boon. Even Mr. Bevan did not deny there would be a great stimulus given to speculations on the slave-trade upon the adoption of this plan. But the right hon. Gentleman then adopted an argument that was certainly calculated to excite surprise; he said that we should do better to make our change in the sugar duties first and afterwards proceed to negotiate, than to reserve the change in the duties until after the negotiation had taken place. Why, how did the matter stand? Assuming, for the purposes of argument, that they were going to negotiate with parties who had always shown the utmost unwillingness and reluctance to enter into stipulations, or a desire to escape from them when framed. Suppose it was in our hands to offer to those parties one great and valuable consideration, in the shape of opening a market where the producer of of the principal commodity of the Brazils and Cuba might obtain a price 50 per cent. higher than he had hitherto been able to obtain, the right hon. Gentleman would say, "Give away your consideration, abandon your boon, without receiving a return, or a *quid pro quo.*" They knew that they could not hope to operate upon the motives of the parties with whom they were dealing—they knew that they had little to expect from their good feeling and that they looked to nothing but their interests; yet the right hon. Gentleman said, "Give away your consideration; and after having given it away, ask them to give you that which you know them to be most unwilling to concede." He could not conceive that any practical good could arise if such a course were adopted. The right hon. Gentleman said, with respect to this trade, "form all the relations that belong to it, allow parties to make their engagements upon the faith of the change in the sugar duties, and after having created these new interests, opened these channels of trade, and directed commercial enterprise into them, then affix a condition as to slavery and the slave-trade, and threaten to destroy the conditions you have made unless the condition you have affixed is agreed to." It was a material question for the committee to consider, whether, in the present state, they were or were not doing anything to affect the operations of the slave-trade. The hon. and learned Member for Bath had stated that our interference was worse than useless—that we had no more right to interfere with the slave-trade, if other nations liked to carry it on, than we had to interfere with domestic slavery, or any other institution; and that our interference ought to be abandoned. But was that the case? Was this country, after all the sacrifices it had made, to be reduced to the miserable conclusion that they had been worse than useless? Or was it to go on under the belief that those struggles, which had been made to repress the slave-trade, must be greater than ever, and would be ultimately successful? There was every wish in that House to go on in the course it had pursued; and now to adopt the plan of the right hon. Gentleman would involve the abandonment of that course. The most effectual discouragement that could be given to slavery and the slave-trade was the low price of sugar, and that low price in the markets of Europe was now acting in discouraging the business in the slave-trade. And that low price had been produced not merely by the exclusion of slave sugar from the British market, but likewise by the measures pursued by foreign Governments, from the high duties they levied for the protection of their own colonial sugar, and by the strong measure pursued by the German unions of doubling the price of foreign sugar. But the committee would learn with satisfaction that there was a great decrease of slaves from Cuba and the Brazils; and if that was the case, was it not a reason for postponing the consideration of a proposition that would have the effect of substituting a stimulus for the discouragement and depression that now prevailed with relation to the slave-trade? In the valuable work recently published by Mr. Bandinel, who had devoted so much time and research in the inquiry, there was information of an important character on this subject. He would not now repeat what had been stated by his right hon. Friend in an early part of the evening with reference to the strong feeling that was growing up in the countries themselves where the slave-trade flourished. They entertained an hostility to the slave-trade, and were desirous to allow emancipation to the negroes. He would now state to the committee the results of the information given by Mr. Bandinel, and he imagined it would be allowed that the amount of insurance on slaves was a criterion by which to judge of the consequences of the measures that had been adopted to repress the slave-trade. Some persons thought that all the measures adopted by this country, the loss of life that had occurred, the sending cruising squadrons both to the Brazils, Cuba, and the coast of Africa, had produced no effect, but Mr. Bandinel said, "that the rate of insurance on slave-trade undertakings becomes higher in Cuba, so that now it amounts to 40 per cent." He also gave the amount of decrease in the importation of slaves to Cuba and the Brazils. It appeared that in 1817, and the following years, until the conclusion of the treaty in 1835, the importation of slaves to Cuba was estimated at 40,000 a year. In 1835 the treaty was established with Spain, which included the right of search, the equipment of vessels, and many other valuable things; and the consequence of it, and the severe measures taken in respect of the British markets, was, that in 1838 the importation, which had been 40,000 a year, was reduced to 28,000; in 1839 to 25,000; and in 1840 it was further reduced to 14,470, or one-third of the number that had been imported at a period only six years before. The case of the Brazils was not immediately connected with Spain or the Spanish treaty, but was regulated by the low state of the foreign markets, and the low state of the produce of those foreign countries. The effect, however, in the Brazils was still more striking. In 1838, the importation of slaves into the port of Rio amounted to 47,000; and it was estimated that an equal number was imported into the other ports of Brazils, giving an importation in the year of 94,000 slaves. In 1839, the importation into Rio was 29,000; and the entire number in the year was reduced to 56,000. In 1840, only 7,000 were imported into Rio, and the total estimate, which in 1838 was 94,000, was reduced in the space of two years to 14,000, or nearly one-sixth of the former number. Now he asked whether those were not most important facts; and whether it was not most important that they should not, for any doubtful or limited advantages, interpose in a course of events so satisfactory, and so far beyond the hopes of Sir F. Buxton and others, who had written upon the subject of the slave-trade, by the adoption of a measure that would at once apply a stimulus of a powerful description to the pursuit of the slave-trade, by creating a price and even a high price in the markets of Great Britain, instead of a low price, that did not pay, in the markets of continental Europe. Therefore, he maintained, that the argument which was advanced last year and obtained the assent of an adverse Parliament was now much strengthened. There was a still better prospect than there was last year of an increased supply from our own possessions. The apprehensions that were entertained, and which the evidence proved, and were admitted by those who were apprised of the real state of the question, as to the stimulus that would be given to the slave-trade by the adoption of such a measure as that proposed by the right hon. Gentleman, still maintained all their force; but there was this great difference; last year they were told, that the slave-trade was carried on on an increasing scale, they now know the contrary; and that the career which this country had embarked in with so much honour, had been in no inconsiderable degree successful. They were sure of still further success, from the fact of the decreased importation of slaves to Cuba and the Brazils in 1840, as compared with that of the preceding years; and the committee was now to determine whether, under these circumstances, this country should adopt a plan that would have the effect of checking a course of events so satisfactory as this, and withholding the produce and ultimate attainment of the great project for which it had made such sacrifices. He must say, if there was one thing more than another likely, as they might conjecture, to impede the success of any negotiation for the abandonment of slavery or the slave-trade, or to have a bad influence upon the parties in Spain and the Brazils, it must be the knowledge, that there were persons in that House disposed to open the British markets to the produce of Cuba and the Brazils. He was far from imputing to the right hon. Gentleman the remotest desire to interpose any such obstruction between the plan of the Government, and the attainment of their object. He knew the right hon. Gentleman desired as sincerely as any person on either side of the House, that that object should be carried out: but, at the same time, he was sure the right hon. Gentleman must agree with him, that it would have a most unfortunate effect upon the policy which had been pursued by his right hon. Friend in respect of this most important subject, if it were to be believed for a moment by those foreign powers with whom they had relations upon this matter, that there was any probability, that the British Legislature would adopt the measure of the right hon. Gentleman, and open its markets, give away its valuable consideration, and trust to succeed in its desires after that consideration was gone. He, however, thought, that upon commercial principles, the proposition of the right hon. Gentleman—he did not speak of its precise details—or some proposition that would admit of competition between British and foreign sugar, would be a fair and reasonable proposition; but, at the same time, keeping in view the higher considerations involved in this question, he looked back with great gratification to the fact, that a Parliament that gave its support to the policy of the late Government did, notwithstanding, withhold its support, even in the hour of extreme need, from the resolution on the sugar duties proposed by that Government, and he must look forward with still greater satisfaction, that the present Parliament, with a larger and more decisive majority, would show its determination not to pursue the course of policy which the right hon. Gentleman had marked out, but to endeavour, in approaching the commercial question of the sugar duties, to approach it in such a manner, as to have in view the good of the consumers in this country, in conjunction with the attainments of interests most important to humanity at large.

Mr. *Hume* thought, that the right hon. Gentleman the Vice-President of the Board of Trade had just found out that all Sir F. Buxton's statements on this subject were erroneous; but he had had experience enough to know, that in directing our efforts to matters beyond our control we had neglected matters within our control. They had done evil in the first place and evil in the second place, and had neglected their own population by adopting a most erroneous policy. They ought now to consider this question in a commercial point of view, and see how far they could afford relief by the proposed reduction of these duties. The right hon. Baronet at the head of the Government must admit that any protective duty was a tax upon the public at large. But they were now taxing an article of the first necessity, and giving a duty of 3*d.* per pound to the producer, and 3*d.* per pound more to the revenue. The right hon. Baronet had quite forgotten the estimate which was laid on the Table of the House last year, showing the difference in the price of Brazilian and English sugar, and in no year had the difference been greater than in last year. The increased price which the British consumer had to pay was not given to the proprietor, but laid out in labour in the West Indies. The high price which sugar bore in the British market enabled the black labourer in the West Indies to obtain high wages, and not one farthing went into the pockets of the proprietor. Indeed, the black labourer in the West Indies could gain as much in seven hours as three Englishmen gained here in sixteen hours. The people were deprived of the advantage of the wholesome beverage coffee by the high price of sugar. He was not one of those who wished to discard our colonies, but he was one who was anxious that the colonies should be made to defray their own expenses, and not to be as now a burden upon the mother country. Much difficulty had occurred in getting a sufficient number of labourers to work the plantations. This should have been taken into consideration before emancipation was granted. It ought to have been known beforehand that free labourers would not do so much work as slaves. At the time of discussing the Emancipation Bill the advocates of the measure refused to apply the ordinary principles which governed human nature to the blacks. The House was told that the produce would be greater, and at less expense, than under slavery. But the emancipated blacks could get larger wages per day than able Englishmen could. One day's work, of not more than seven hours, from the black man was equal in reward to three days of sixteen hours work of an Englishman. How then, could it have been expected that a man, who, in two days, earned enough to support him during the week, would work like an Englishman, who had to labour incessantly to procure a bare subsistence. He was of opinion that there ought to be a fair competition with foreign sugar in the colonial market. It was unjust, on the part of the House, to tax the people to preserve monopoly. He called on Government to agree to an imposition of 50 per cent. until the colonies could be freed from the shackles under which they laboured, and then this protection to be reduced, year by year, until it came to nothing. He considered that to keep up the enormous duty on sugar was only second in injustice to keeping up the Corn-laws. The putting forward the question of the slave-trade was a mere pretence, and ought not to be listened to for a moment. It was sheer humbug to talk of the fear of encôuraging the slave-trade by admitting Brazil and Cuba sugar, when we allowed tobacco, rice, and other slave-grown articles to be imported. Instead of attending to the West-India slaves it would be better if the right hon. Gentleman attended to the slaves at home. The industrious classes could not get animal food, and it was but just they should have the means of getting a bit of sugar to sweeten their coffee. The right hon. Gentleman said he could not take off the duty because the loss to the revenue would be too great. Now, he was of opinion that if a reasonable reduction was made, that consumption would be not only increased by a million or a million and a half of cwts., but the revenue would also be much benefitted. If the right hon. Baronet admitted foreign sugar at 30*s*., such a result would take place. He was satisfied that Government with respect to the sugar duties was proceeding on an erroneous principle. He considered that the people of England were not fairly treated in the matter. He considered that the right hon. Gentleman the Chancellor of the Exchequer did not come fairly to the question, because from his position he must be interested in supporting the present state of things. The right hon. Gentleman had large interests in the West Indies; and if so, he did not see how it was possible for parties so situated to divest themselves of bias in dealing with the question. Nothing, in his judgment, was calculated to afford a full regeneration to the country but a complete return to the principles of free-trade. He should certainly give his support to the motion of the right hon. Gentleman now before the House.

Mr. *P. M. Stewart* said, there had been three propositions laid before the House. One from the Government, for the continuation of the not protective but prohibitory duties; the second, in the opposite extreme, came from the hon. Member for Bath, who, regardless of the value of our colonies, had brought forward a motion which had been disposed of in a way commensurate to its merits. And the third was that now before the House brought forward by the late President of the Board of Trade, who asked for such a modification of the duties as would admit of competition between British and foreign sugar. Whilst he agreed in the principle of the right hon. Gentleman's motion, he differed from the figures which the right hon. Gentleman had used. A good deal had been said on the subject of giving encouragement to slavery, and expressions had been used to the effect, that this was the mere cant of slavery; but it should be recollected, when speaking of the cheap sugars of Cuba and Brazil, that these sugars were produced in slave-importing and slave-growing colonies. There was this peculiarity connected with colonial sugar, that the planters had to compete with other countries who still carried on the horrible traffic in slaves. There was certainly some prospect, he was happy to think, that that peculiarity would yet be removed; and that the Government would be able to induce those other countries to abandon the traffic. That morning he had found on his table bills founded on treaties entered into, and he trusted, that in accordance with the sentiments expressed by his noble Friend the late Secretary for Foreign Affairs (Viscount Palmerston), they would succeed in forcing other states to follow the example we had set them. He would leave that part of the subject, and ask, as a West-India proprietor, was it treating the West-India proprietors fairly to force them into competition with those who continued the slave-trade, after having made the colonists give up their interests in slaves. He wanted no continuance of high fiscal prohibitions. He merely held, that the West-India proprietors were entitled to a differential duty to the extent of 15*s*., which had become necessary from their interference with their colonies. They should not drive the colonies into competition with slave-trading countries. If they were to be driven into competition, all he asked was, that they should get into it on fair terms. With regard to colonial spirits, they would recollect, that colonial sugar was prohibited from being used in our breweries and distilleries, and that also colonial spirits were prohibited from the great duties imposed. The colonies were now looked upon as integral parts of the kingdom, and colonial spirits ought to be treated as British spirits. The effect of high differential duties on colonial spirits was observable in the quantities consumed in these kingdoms. In England, where the differential duty was 1*s.* 6*d.*, the consumption was one-third of the whole spirits consumed. In Scotland it was only one six-hundredth part, and in Ireland one twelve-hundredth part; but in Scotland and Ireland the duty was 5*s.* 8*d.* The West-India proprietors would enter into competition with the world on fair terms, but they protested against being thrown into the arena with those who possessed all the advantages derivable from slave traffic and free-trade. But for his own part, as regarded the present system of duties, which were entirely prohibitory, he differed from it completely.

Lord *J. Russell* hoped he should be pardoned by his hon Friend who had just sat down if he observed, that his hon. Friend had great difficulty to reconcile the opinions he had expressed favourable to free-trade with those he had given to the House as a West-India proprietor. There were, perhaps, other parties in the House, whose sentiments on this subject were not more consistent. It appeared, that the present was an occasion upon which the House might well consider if an opportunity was not offered of proving that they sincerely wished to diminish the price of articles of great and general consumption. They had been told, that that was the object of the great change in contemplation. Yet, though that was the object which the Government had so nearly at heart—though that was the object which that House wished to accomplish, there was, somehow or other, the greatest difficulty in obtaining that object with respect to any great and primary article of consumption. With respect to some articles of great importance to the working classes, as forming part of their weekly and yearly expenditure, other Parliaments had granted relief. Upon the articles of salt, leather, coals, and candles, a reduction or abolition of taxes had taken place, either as proposed by the Government, or as suggested by the Opposition, and agreed to by the Government. With respect to those great articles of consumption which the House had now to consider, and which formed necessary articles of consumption among the labouring classes, they had begun with bread, and they had found they could not make any great reduction. They had found, that it was necessary to be independent of foreign nations—that, unfortunately, much as they wished to relieve the people in that first great article of food, they were not able to make a great and important alteration in the Corn-laws. They had then come to articles formerly part of the weekly expenditure, and daily food of the people, such as cheese and butter, but, unfortunately, they had found, that the interest of the revenue was so much concerned, that it was impossible to make any reduction in those duties. There was one article, indeed, in which they had been able to make an alteration—in the article of cattle and meat they had been able to exchange high and prohibitory duties for those which were lower; but with respect to cattle, they had, unfortunately, heard the assurance, that the people were not likely to derive present benefit in the reduced price of meat. Another article of great consumption was then before them, namely, sugar—an article most important, considering the improved habits of the people; habits which a Legislature undoubtedly ought to encourage. He was sorry to hear, that upon this article, the people must be contented with the good wishes of the Legislature, and the proclamation that had been made, of an anxious desire to reduce the price of subsistence. The duty on many articles, say some five or six hundred, had been reduced, which did not enter into the consumption of the poor in any way, and which, so far as they affected the real comforts of the working classes, were but of little importance. But this being an article of great consumption, they found a fresh difficulty in the way—the right hon. Gentleman, the Vice-President of the Board of Trade, was unable to consent to any alteration of existing duties, and the right hon. Gentleman the Chancellor of the Exchequer, proposed the continuance of what was a prohibitory duty—a duty which was admitted to be prohibitory, and which was contrary to all the principles professed by the Government. Was it not now time for the House and for those who were not connected with the West Indies, to consider the thing fairly, and whether there was not now an opportunity of doing that good which other opportunities had been lost of effecting. The right hon. Gentleman the Vice-President of the Board of Trade had stated what was the price of sugar without duty during the latter end of the past year and the beginning of the present, that in the latter part of 1841 the price of Cuba sugar was 39*s.* per cwt., and during the first few months of the present year it was 38*s.* and some odd pence. The right hon. Gentleman had made out that the price of foreign sugar would be about 54*s.*, and the difference between the two about 7*s.* 10*d.*, or about three farthings per pound. Now, that sum of three farthings per pound which the right hon. Gentleman seemed to make so light of, was an important consideration in the weekly expenditure of a poor man. With respect to the great importation of sugar into this country from the East Indies, the Mauritius, and the West Indies, his argument of last year was, that it was impossible to ensure that those calculations would be correct; but that, at all events, an increase of price would be prevented. That argument was much ridiculed at that time; but this year he had had the happiness to hear it urged with respect to other articles. The First Lord of the Treasury had said, that if the price of meat were not diminished, it was a great thing to prevent it from rising higher. That was his (Lord John Russell's) argument with respect to sugar, and yet it had been held at that time as utterly ridiculous. Then the right hon. Gentleman had put forth two grounds why he could not assent to the motion—one was the loss to the revenue of upwards of 600,000*l.*, and according to another estimate of 400,000*l.* Let the House remember, that with respect to the tariff generally, they had to consider how, by sacrificing a portion of revenue, they might best benefit the people. The right hon. Gentleman said, "I find a deficiency of two millions and a-half, and I propose to lay on taxes to the amount of four millions three hundred thousand pounds, and the difference between the two million and a half and the four millions odd will enable me to afford a great opening to the commerce of the country, and to reduce the price of subsistence." If that were the plan, was there an article in which it could be better or more advantageously followed than in sugar? It might, he thought, be fairly maintained, that nothing in the whole range of the customs duties that were proposed to be reduced would more benefit the people of this country, or more tend to encourage improvement in their habits than a reduction in the article of sugar. What was stated by the petition of last year proceeding from the coffee-house keepers of London? They stated that the use of coffee had of late years so much increased that whereas twenty-five years ago there were but ten coffee-houses in the metropolis, there was now about 1,800, and more than 180,000 persons per day now frequented those places—not only labouring men, but clerks and persons employed in merchant's houses. At such houses persons were enabled to procure necessary refreshment at a small charge, and at the same time avoid temptation to inebriation. Was it not of the greatest advantage to cultivate such habits? But then, to oppose the comfort and well-being of the community which might be thus promoted, they were met by the argument about the slave-trade. But was it said that the face of the people was so much set against that trade, that they would not admit any article produced by it? No, they did not say that. But was it said that they would not favour or countenance any new article the product of slave labour? By no means. There was the coffee of Brazils, which was now subjected to a duty of 15*d.* and that duty, it was well known, was evaded. They did not try to put an end to that evasion, but they reduced the 15*d.* to 8*d.* on behalf of slave-grown coffee of Brazils. It was not shocking, it was not immoral, to favour the slave-trade with regard to coffee, but denunciations were thundered against it with respect to sugar. In regard to coffee it was harmless—in regard to sugar it was atrocious to do the same thing. There was another article to which he had adverted on a former occasion, and that was copper from the mines of Cuba. He was far from wishing to cast blame on the measures which had been taken with respect to that article; but at the same time the fact was not the less true, that it was the produce of slave labour, and came from a place where slavery existed in its most horrible form. What then became of the virtuous indignation manifested by the opposite side? It was, no doubt, very desirable to put an end to a very high restrictive duty, in order to facilitate the importation of that article; but he thought, that if a comparison were made between the two commodities — if the comforts of the people were to be consulted—it could not be denied, that a relaxation in favour of sugar would conduce far more to the interests of the community than any alteration which the Government could devise with respect to copper. He could not see why all the objections to the slave-trade should be confined to the single article of sugar. He might, perhaps, be able to understand their objections, if it had been alleged, that the slave-trade had increased to a great pitch, and that by this measure they had a prospect of putting an end to it immediately; but nothing of the kind was alleged. On the contrary, the right hon. Gentleman opposite had told them, quoting that most useful work of Mr. Bandinel, that the slave-trade had decreased. But why? From the efforts made by our navy on the coast of Africa; by treaties made with foreign powers with respect to the slave-trade; means far different from those by which hon. Gentlemen opposite sought now to carry out that object. There was no reason to suppose, that these efforts for the suppression of the slave-trade were likely to be diminished; on the contrary, there was every prospect that they would be increased. He entirely agreed with what had fallen from the right hon. Gentleman, the Vice-President of the Board of Trade, that our efforts for the extinction of the slave-trade have not been unsuccessful. Whatever increase that trade might have met with at particular periods, yet the constant efforts of a power such as Great Britain endeavouring to combine with all the other powers in Europe, by the exertions of her navy on the coasts of Africa, Brazil, and Cuba, must tend in a great measure to limit and fetter, and he hoped ultimately to destroy that traffic. But while he avowed this opinion, he could not see why, admitting as we did other articles the produce of slave labour; nay, being about to give additional facilities to their introduction, measures should be taken to add to the miseries and oppressions of our own people by debarring them from the use of sugar. He trusted, that the House would, on this occasion, endeavour to carry into effect those principles to which they had already given their support. Let them reflect what a disappointment it would be to the people of this country, if, having to submit to the infliction of an Income-tax, besides additional taxes of another kind imposed in Ireland, and having a reduction in various articles proposed to them in compensation, they should find at last the promises which had been made to them utterly unavailing; if whilst they found the imposition of the burden certain, they should find the promises of relief which had been held out to them utterly disregarded.

Mr. *Roebuck* said, the speech of the noble Lord was more than he had been prepared for; he now stood forward as the advocate of a large reduction in the duty upon one of the prime articles of consumption. The noble Lord was extremely anxious to lower the price of food, and at the same time maintain the revenue. The noble Lord threw out insinuations from which he wished to have inferences drawn that he was anxious to diminish the price of the food of the people. That was the first assumption of the noble Lord, and it was one that was unwarranted by anything that he had ever done. There was no question but the position of the right hon. Baronet was full of difficulties —every hon. Member had his herring upon the occasion. The hon. Member for Renfrew had his herring amongst others, and according to him they might touch everything except colonial produce. The hon. Member had spoken explicitly —he avowed that he wanted the revival of slavery. ["No, no."] Then he did not know the meaning of the English language. What did the hon. Member mean when he talked of loosening the arm of industry in the West-India colonies if he did not mean a revival of slavery? He could not understand anything from the speech of the hon. Gentleman, but that he wished for the re-establishment of slave labour in the West-Indies. ["Oh, oh!"] It was easy to cry "Oh, oh!" but were they to tax the labouring population of this country 2,000,000*l.* or 3,000,000*l.* for the benefit of the West India proprietors? It was all very well that each party in the House should have a stalking-horse—with some it might be sugar, and with others corn—it might be the mystification of an 8*s.* fixed duty on corn, or a difference or discriminating duty of 10*s.* upon sugar, which he believed to be something like the 8*s.* duty upon corn. The present duties were 63*s.* and 24*s.*, being a difference of 39*s.*, and it was proposed to keep up that distinction between colonial and foreign sugar. This was the question he wanted to have answered. Would the differential duty of 10*s.* keep out foreign sugar? If it would not do that, would it put out colonial sugar? ["No, no."] Here then was a hocus-pocus. ["Hear, hear."] He would show it. Foreign sugar, the noble Lord said, was at 24*s.*, colonial at 39*s.*, and on the plan of duties which he proposed there would be a difference between the price of foreign and colonial sugar in the English market of just 8*s.* Now, he wanted to know what was the meaning of this? Was it intended as a protection to the colonial interest? It could only be that by keeping out foreign sugar: if it let in foreign sugar, it could be no protection to the colonists. Surely then it was a fallacy to say, that the proposition of the noble Lord was to give the people of England cheap sugar and the colonist protection at the same time. He said the noble Lord could not make that out. Were they to have protection or no protection? If they were to have protection, then they could have no cheap sugar; if they had cheap sugar, they could have no protection. The existing system, as well as the system to be substituted for it, was a system by which the people of England were taxed for the benefit of a small body of the colonists; and he did say that the noble Lord, finding that this article was one of great importance, that it was next in importance after corn and meat—nay, he greatly inclined to think it was of greater importance even than meat itself—ought to have offered some proposition with respect to it by which the burdens of the people might have been lightened, the supply increased and the price reduced; and yet the noble Lord objected to the proposal which he made for supplying the people with sugar at a cheaper rate. He would now address himself to the arguments of the right hon. Gentleman, the Vice-President of the Board of Trade, who also had objected to his proposal. First, then, the right hon. Gentleman said, that he apprehended danger to the revenue from the proposition of the right hon. Gentleman; but how could the right hon. Gentleman apply the same objection to that which he made? It was clear he could not, because assuming what would not be denied, that no diminution, at least in the quantity brought in, would take place, whether they levied 24*s.* from the colonial or from the foreign sugar imported, made no difference as far as the revenue was concerned. If anything, on his plan there would be an increased revenue, because there would be an increased supply. The advantage, then, of the plan was, that it would confer a great benefit on the people, and would yield the same amount, if not more, to the revenue. But the right hon. Gentleman had expressed a doubt whether lowering the duty to 24*s.* would not hurt the revenue; he went so far as a doubt; but, further than that, he felt he was dealing with a delusion; the right hon. Gentleman felt that he could not answer the arguments in favour of his plan, and the right hon. Gentleman did not answer them. But the right hon. Gentleman chose to say, nevertheless, that he knew an answer to those arguments and could answer them; he should like to know how the right hon. Gentleman would excuse to the people his opposition to a proposal for lowering the price of this most necessary article? But then the right hon. Gentleman spoke of the interests of the West-India colonies. He was prepared to say, that if the benefit of the people of England demanded it, he would sacrifice the West India-colonies. ["Hear, hear."] Why not? How were those colonies of any benefit to the people of England? A set of barren islands, which we dearly maintained with the pith and sinews of the people of this country! Jamaica to the bottom of the sea, and all the Antilles after it, rather than the interests of the people should be sacrificed. [*Laughter.*] The noble Lord, the Member for Liverpool, might laugh, but he wanted the noble Lord, or some hon. Member, to explain to him—he saw many hon. Gentlemen opposite who were connected with the West Riding of Yorkshire, with Staffordshire, and with Warwickshire, he asked them also to explain to him—what single benefit had ever been derived to the great manufacturing interests from our West-India colonies? What benefit was it to the manufacturers, that they should pay dear for their sugar, in order that they might have it to say that they had a colony called Jamaica? Since we had possessed these colonies, they had been a source of nothing but war and expenditure. He knew that we had fought for the colonies, and that we conquered them from the enemies of this country; but what was the benefit of them? That was what he wanted the right hon. Gentleman to tell the country and the House. He was not prepared to vote a single farthing for the benefit of these colonies at the expense of the labouring classes. Let no man go out to vote for the proposition of the Government, without reflecting that in doing so he was voting protection to the West-India colonies at the expense of the health and strength of the people of England; that he was making the workingman pay dearly (as the noble Lord aptly said) for his sugar in his weekly bill; that he was disabling him from obtaining this necessary article, though he laboured in the sweat of his brow from the rising of the sun until it set, and for many hours after it set. He wished he could see in his place the hon. Member for Knaresborough (Mr. Ferrand), who was usually so eloquent on the subject of the manufacturers, that he might tell the hon. Member to go to his constituents and ask them what advantages they, as manufacturers, had ever got, or could get, from the West-Indian gentry. He would ask the right hon. Baronet (Sir R. Peel) for something better in the way of argument than that flimsy thing that the Chancellor of the Exchequer had put forth that evening, when he said that he was about to commence some new means of putting down the slave trade at an expense of 4,000,000*l.* per annum—an expense not to be borne by the rich, but by the poor; for to that amount were they taxed to support the monopoly of the West-India colonists. Yes, he said it was from the poor that the amount was taken, for if they subtracted from the whole amount derived to the revenue on the head of sugar that part which was due to the consumption of the rich, they would find it was but as a drop in that mighty ocean. And for what object was this to be done? For the sake of putting down the slave-trade—a pretence, as they well knew it was, that they were about to tax the poor in their very vitals.

Mr. *P. M. Stewart* wished to explain, that the hon. and learned Member had said, that he had confessed himself a free-trader in everything but colonial produce. Now, he said directly the opposite, for he stated that he agreed to the principle of the right hon. Member for Taunton (Mr. Labouchere), and that if his figures had been different—proving what he wanted—he should have voted with him. Another misrepresentation of the hon. and learned Member, and a rather heavy one, was, that he had said, he was for the restoration of slavery by the British nation. Now, he had said directly to the contrary; he had expressed a hope that they would be able to get Cuba and Brazil to abolish slavery, and that so they would untie for the West-Indians the arm which they had tied up. There never was a more unfounded statement than the hon. and learned Member had made with respect to his arguments.

Mr. *Bernal* said, it required a more than ordinary degree of patience to hear certain statements, and certain arguments, or rather attempts at argument, such as he sometimes was obliged to listen to; in fact, he felt that to bear all with patience would be much more like the stolidity of an animal than the spirit of a man. The hon. and learned Member for Bath was a philosopher—he was an enemy to circumlocution—he was the sworn foe of hocus-pocus. In that he would join with him; he wished to have this question put on the footing of fair argument, to deal in a straightforward way to meet the hon. and learned Gentleman on his own grounds. The hon. and learned Gentleman seemed to be imbued with one sentiment—perish Jamaica!—drown the Antilles!—sink the colonies! Such was the hon. and learned Gentleman's wish; and to such a mode of treating such a subject, he confessed he scarcely knew any arguments to oppose. He said, however, prosper the Antilles! Flourish Jamaica! Long live Great Britain! Those were his sentiments. He held these sentiments, because he knew, and the right hon. and learned Members knew, that the well-being of the whole empire depended upon the prosperity of the parts. He looked not upon the dependencies of this country as something foreign and alien to it; he looked upon them all, whether it be Jamaica or Malta, or Gibraltar, in the light of *frustra* of a cone—as much component parts of Great Britain as the county of York itself. The whole of the hon. Gentleman's argument was built upon a fallacy. The hon. Gentleman talked of the expense of the Government of Jamaica. Was the hon.

Member ignorant that Jamaica raised taxes of her own? Jamaica had her export duties, her poll taxes, her parochial taxes, and out of the general fund thus collected the soldiers were paid. He did not mean to deny, that now and then a regiment was sent to Jamaica, the expense of which fell upon the mother-country; but was not the same the case with regard to Scotland or any other part of the empire? [An hon. *Member:* Scotland pays her share of the taxes."] Scotland pays taxes? Of course she does, and so does Jamaica. Jamaica paid the salary of her governor, and, if he mistook not, the expense of her Customs officers, and also of her Excise officers. His hon. Friend behind him had been misguided by this fallacy. That Jamaica was a part of this country could not enter into his philosophical and geographical mind. If this was the doctrine of the year 1842, he looked upon it as wholly illusory. If he were asked what had been the use of Jamaica, he should be tempted to reply—Great Britain did arrive at a great and famous pitch of prosperity. To that prosperity trade and navigation had in his belief greatly, if not mainly, tended. He was one of those who considered that in that flourishing navigation, that commercial empire, and that wide spread and extensive marine, the vital energies of this country were bound up. And by all means support that navigation and that trade with the distant and widely-spread colonies of this empire. He might be mistaken in his views, but after the many years' experience he had had of the subject, at all events he did not believe that he could be mistaken on false grounds; and this he could say, that he was honestly mistaken, and that he was not arguing in insincerity. By the passing of that most important measure the Emancipation Act, our West-India colonies had been placed in a singular situation; they were not prepared for that sudden step, by which every thing was disturbed and changed, by which the system on which agricultural labour had been provided was completely overthrown. He repeated, that those colonies of the empire, Jamaica, Guiana, and others, which were affected by the Emancipation Act, were not prepared suddenly with labour sufficient for the culture of the hundreds of thousands of acres of land which were now, if he might use the expression, lying in a state of spontaneous cultivation in those colonies. Would it be supposed, therefore, that he desired to maintain the system of slavery? No. But would it be attemptsd to be alleged that the colonists of Jamaica were on a footing with the agriculturists of Yorkshire, of Berkshire, of Suffolk, in regard to the means they possessed of acquiring labour? Had not the agriculturists in this country a means of acquiring labour which the Jamaica colonists had not? From what might perhaps be called the happy condition of the labourer in Jamaica, he might be said to be almost independent of the soil; he required little for his wants, and little labour therefore to provide for them, for two or three hours' work a day was, he had often told hon. Members, sufficient with the soil of the tropics to provide all the provisions which the Jamaica labourer required. Did hon. Members think that the Berkshire peasant or the Suffolk labourer would cultivate the soil were it not that the fear of starvation was before his eyes? Would he follow the plough for his own amusement, like some of the gentlemen farmers they had heard of? The case of the English farm labourer was very different from that of the black labourer in the colonies. He had land, which, if not his in fee-simple, was his by the right of custom. Do what you would, he would still consider that land as his own, and if you attempted to deprive him of it, he did not think he would be criminally an offender, but he certainly would not like to contemplate the consequences of any attempt at summary ejectment. This was really the state of the case as regarded the West-India interest. The poor devil of a West-Indian was not like (so to speak) the rich devil of an English agriculturist. The West-Indian formed one of a rope of sand. But touch but the toe of any one of the hon. Gentlemen who formed the landed interest here, and the whole body vibrated as if from an electric shock through the empire. The West-India interest was unfortunately a part of the community in a very different position. They might be trampled on. He could not understand the hon. and learned Member for Bath when he talked of this or that measure being adopted for the purpose of soothing or of captivating the West-India interest. The hon. Member well knew that the West-India interest was like a football, knocked from one side of the House, and from one part of the empire, to another. Unfortunately many discussions of late had been made to turn on the West-India interest. One time it was upon the Legislature of Jamaica, another time it was upon the sugar question; but certainly his hon. Friend had, in his philosophical view of the question, omitted many points that were material to its full comprehension. There were certain points of inequality of which every man at all acquainted with the subject was aware. For instance, the brewers and distillers of this country found themselves able to resort to the sugar market, it having been found that sugar was an excellent ingredient in the making of ale and porter and other drinks; and it was also found that spirits in a white state, and molasses, might ingeniously and advantageously be introduced into the making of spirits. But the moment such a subject was ventilated in that House—he repeated ventilated in the House; it was, he believed, a well-understood and perfectly legal term—the moment that subject was even whispered in the House, then came the electric shock to which he had alluded, and again were the poor West-Indians kicked about like a football, by Berkshire, by Suffolk, and by Norfolk—by the light soils and by the heavy soils, and all because it seemed likely that sugar was going to be admitted into the breweries and the distilleries. He did not pretend to know the law as it stood, but he knew that many persons well qualified to form an opinion maintained that those ingredients could not be legally introduced into our distilleries and our breweries. At this very moment this was among the reasons why the brewers and distillers did not assist the West-India interest to the extent which they might. He was sorry to say, too, that the price of sugar had been very much exaggerated. No man had more feeling of sympathy than he had for his fellow-citizens, but when he was told that a reduction of three farthings a pound in sugar would contribute to the relief of the poor artisan at Burnley or the weaver in Lancashire—to the actual relief of him who got 3*s.* a-week, while the black labourer in the West Indies could get 10*s.*, he could scarcely repress a smile at a proposition so absurd. No relief could possibly be experienced under a reduction of 3*d.* or 4*d.* per pound; and he felt bound to tell hon. Members, that if they admitted all they could get from the Brazils, from the Floridas (for there, too, sugar was produced), or from Cuba, they would never arrive at their desired object of lowering the price by 3*d.* or 4*d.* per pound.

Sir *R. Peel* said, it was quite evident, that if this debate were permitted to proceed there would be on the other side of the House a considerable degree of heat and asperity, quite inconsistent with the calmness of deliberation. He thought it was his duty to prevent that by rising to counsel moderation in the combined phalanx of his opponents, and pour oil on the troubled waters. He hoped the House would come to this practical conclusion, that by far the safest course they could pursue would be to vote for the proposition of her Majesty's Government, and leave the question in the hands in which it ought to be. It was perfectly evident, that to adopt any rival proposition would produce no satisfaction whatever. He did not speak against, but he voted against the motion of the hon. Member for Bath, for he felt, that calm reason was scarcely necessary to discuss the principles it embodied. The hon. Member for Montrose announced his wish to maintain our colonial dependencies, but said, that his object was to see each colony paying for itself. He apprehended that the proposal of the hon. and learned Member for Bath to admit these colonies to an unlimited competition with slave-possessing colonies, was not the way to insure that object. The hon. Member said, that if the weavers of Lancashire were asked what benefit they derived from the duty on foreign sugar, they would assuredly say, "None." But he put it to the hon. Member, whether that was the test by which any great question affecting the country was to be decided? If he asked a Lancashire weaver what benefit he derived from Jamaica, and that his reply was "None," ought that to induce him to abandon Jamaica. Was the hon. Gentleman prepared to test the advantages derived from our connection with India in the same manner? Or should we abandon our colonial dependencies altogether upon the assurance of a distressed weaver of Lancashire, that he was not aware that any benefit was conferred upon this country by those dependencies? If that were the principle of the hon. and learned Gentleman, it was quite clear, that in order to conform to it, we must resolve our power into the narrow limits of our own resources, and try what

England could do against the world, after having abandoned all those dependencies which she had established to her glory. It was not merely a material or pecuniary benefit that was to be regarded in the loss of our colonies. England was governed by higher considerations, and could never be guilty of such ingratitude, such a breach of faith, as to forsake those dependencies that she had fostered and protected. He asked whether the Government was not entitled to demand the confidence of the House upon the subject. The proposal was, that the existing duties should continue for one year longer. He was referring to the annual vote upon the sugar duties, which did not prevent, but compelled the consideration of the question in another year. The question, then, upon which the sense of the House would be taken was, whether or not the sugar duties should continue for another year? He asked, whether the Government had taken a course respecting the commercial tariff of the country which disentitled it to the support and confidence of the House. It was said, that all minor interests were sacrificed, but that where any great political interest intervened, there was deference and submission. He did not think that the Government was fairly chargeable with such partiality. Much had been said about the West-India interest, and it was said, that the Government supported a monopoly out of deference to it, but certainly nothing could equal the folly of a Government that could act improperly and unjustly for the purpose of conciliating the support of the West-Indian interest. In the unreformed Parliament the West-India interest may have been powerful, but the Reform Bill struck a great blow at that interest; and he believed that, in point of political influence, no interest at the present moment was weaker than that of the West Indies. The noble Lord had spoken of the tariff as if the consumer in this country would derive no advantage from it. The noble Lord said, that it did nothing material with respect to meat. He would only remind the noble Lord, that he had been ten years in office, and had never proposed any alteration in the tariff. The noble Lord did bring forward a sort of 8*s*. duty on corn; but during the whole ten years that he remained in office, did he ever intimate his intention of reducing the duty on foreign cattle or provisions? In reference to the measure which he had introduced, he knew that the apprehensions entertained regarding it were greatly exaggerated; but he had held no equivocal language on the subject. The price of meat was high; but he had always said that there were physical difficulties which constituted a protection to the meat of this country, and which would prevent any great reduction in its price. When he heard that the apprehensions were so great, that the price of cattle had fallen 25 per cent., he thought it was time to interfere. He adverted to this, because the noble Lord had talked of his fearing to offend a powerful interest, and he wished to contrast the course which he had pursued with that of the late Government—a course in which he ran greater risk than any Minister ever ran, and he saw that nearly a hundred of those Members who had given him their confidence were on this particular point prepared to vote against him, and he thought that in adhering to his resolution he had given sufficient proof that he was prepared to incur the risk for the purpose of benefitting the people. He contrasted that course with the one pursued by the noble Lord. The noble Lord might say, that he had great reforms in contemplation. But when the noble Lord brought forward his proposal for a fixed duty in corn, there was not a whisper of any reduction of the duties on the other articles of provisions. The noble Lord now produced a proposition in reference to the sugar duties different from that produced last year, and the noble Lord surely would not blame those who attacked and negatived that proposition which now appeared not to be a perfect Minerva, sprung at once from the brain of Jupiter. The present proposition of the noble Lord would cause a loss to the revenue of from 500,000*l*. to 600,000*l*. The hon. Member for Weymouth seemed to think that a reduction of ¾*d*. in the price of sugar, would be a small matter; but if they argued against a reduction because it was small, they would never have any reductions in the tariff. But viewing the matter abstractedly, these small savings constituted great savings on the whole. Each small saving would tell upon another small saving, and therefore they would propagate themselves. The right hon. Gentleman said, that they ought to take off this tax, because it was a burden on the people. If they took that as a principle, he would venture to say that there would be a deficit even with the Income tax of 2,000,000*l.* He had no doubt, if he were asked the question, whether he would think it right to reduce the duty on wool, if he looked at the question abstractedly, he would say that he did. If he were asked the same question as to the duty on cotton wool, he would probably give the same answer. If they raised a duty of 600,000*l.* from sugar, which they ought to sacrifice, they would lose 800,000*l.* on wool and cotton wool. If he took the excise duty on glass, he would venture to say, that there was not one article, the reduction of duty on which would confer such great benefit on the people. So of every duty, if he looked at it simply and abstractedly, he must give way to the arguments for a reduction. But in the present instance, and with the uncertainty as to the produce of the Income-tax, he could not agree to the loss of 600,000*l.* in the revenue, to reduce the price of sugar ¾*d.* a-pound, although he admitted that the benefit of the reduction would be considerable. With respect to the West Indies, particularly, he thought, that no steps ought to be taken without considering attentively the state of the interests of the West Indies, and seeing how far they were affected by our fiscal regulations. He had grave doubts whether our West India colonies, in which we had suppressed slavery altogether, could compete with colonies in which slavery did exist. That was the opinion of Mr. Deacon Hume, who was for carrying the principles of free-trade as far as any man. Mr. Hume was of opinion that the principle of free-trade did not apply to this case.

> "I cannot conceive," (said Mr. Hume) "that having thirty years ago abolished the slave-trade, and having now abolished slavery itself, that any question of free-trade can arise between Jamaica and Cuba. Cuba, with an abundance of fresh and rich soil, not only having the advantage of employing slaves—whatever it may be—but notoriously importing the enormous amount of 40,000 or 50,000 slaves every year having in fact the slave-trade and slavery, and as the laws of this country deprive the planter of Jamaica of that means of raising his produce, I consider the question as one taken out of the category of free-trade."

Such was the evidence of Mr. D. Hume, given before the Import Duties committee. What, however, was the present state of the trade? In the year 1840, the average price of sugar was 49*s.* 1*d.* per cwt. In 1841, the average price was 39*s.* 7*d.*; and in 1842, the average price was 38*s.* 2*d.* And what had been the price during the last month? 37*s.* 3*d.* Observe, there had been a continued reduction in the price of sugar. Then as to the consumption. Last year, notwithstanding the distress of the country, there had been the greatest consumption that had been ever known, not greater in reference to the population, but greater altogether. There were more than 4,000,000 cwt. of sugar consumed in this country last year. But the main ground on which he opposed the motion of the right hon. Gentleman was the same on which he opposed the motion of last year. He did not believe that the honour and character of this country would be maintained if they were to make a reduction in the duty on foreign sugar, without making any attempt to obtain an equivalent concession from the growers of that sugar. They were in a peculiar situation at the present moment as to slavery and the slave-trade. Their efforts on the coast of Africa had unfortunately failed, so far, at least, as the expedition of the two vessels sent out last year was concerned. They had been told last year, "You may relax the duties on foreign sugar, in the expectation of other and more efficient means of putting an end to slavery." What were their hopes now? What was the state of our relations with that great country France, which had recently refused to ratify a treaty signed with its own consent? Imputations had been thrown out against France upon this point and we ought not lightly to take any step to abate the confidence of the world in our disinterested motives. If then, there were proof that last year the consumption of sugar was greater than in any preceding years, if for the purpose of mere pecuniary benefit, and after the sacrifices they had made, they now permitted the negroes of the Brazils and of Cuba to come into this country without making an attempt to put down the slave trade and slavery, their motives would not be attributed to that high principle which was now ascribed to them. He would say, make the attempt with those countries from which the supply was to be obtained. The sugar-growing countries were themselves in a peculiar situation at the present moment. There was a growing feeling that the continuance of slavery was attended with great danger. In Cuba, in the American States, and in the Brazils, there was a great ferment in the public mind, not merely as to the slavery, but also as to the slave trade; some from benevolent motives, but some from interested fears. Let them look at the great example they had set, and let them see what must be the inference which would be drawn from their conduct. The example we had set as to the slavery trade had produced its effects. It was impossible that there should be this feeling existing in the North and South American States without seeing that slavery itself stood in a very precarious position. The same feeling had grown up in the Brazils, and the same feeling was now spreading in Cuba. He held in his hand a letter from a naval officer of Cuba, dated 6th April, 1842, in which he said that he could not hear of any vessels fitting out at the Havannah for the slave-trade; he understood that there was great anxiety as to the probability of a general emancipation, in which case it was evident that the greater the number of slaves imported, the more embarrassment there would be when the time came for the emancipation. That was the feeling in Cuba, and if the inhabitants of Cuba entertained such a feeling, was it not likely to prevail in the Brazils; and if it prevailed in the Brazils, was it not likely to prevail among the intelligent community of the United States? He said then that they ought to be doubly cautious how they acted. The right hon. Gentleman said that if we made this relaxation, we should be able to speak to other countries with greater authority: that is, if they admitted Brazilian sugar at a duty of 30*s*. instead of 63*s*., we should be able to speak with greater authority to other countries. What? after encouraging the embarking of great capital, did the right hon. Gentleman—as was well put by his right hon. Friend the Vice-President of the Board of Trade in his very able speech,—did the right hon. Gentleman think that in three years from the change we should be able to speak with greater authority to the sugar-growing or slave-holding countries? Did the right hon. Gentleman himself pursue that course with respect to Texas? Was it not his boast that they would not enter into a treaty without a stipulation as to the suppression of the slave-trade, and the legalization of a right of search? Texas wished to have a treaty of commerce, and we said, "We will not enter into the treaty with you unless you will abolish the slave-trade," and as a guarantee of their sincerity they assented to the right of search. The right hon. Gentleman did not establish his commercial relations by treaty in the first instance, and then ask them to assent to the right of search; no,—he said, "We are ready to enter into the treaty, but we exact as a condition that you should assent to the right of search." [Mr. *Labouchere*: That was a new country.] No doubt it was a new country; but the principle was the same, and if the principle were good let it be generally applied. The right hon. Gentleman said, "let this country take the advantages of our commercial relations, and you will be able to prove to Texas, that unless she gives the right of search these advantages will be lost. Now with respect to France, did the right. hon. Gentleman conduct his negotiations with that country upon the principles which he now advocated? Did he say to France, "We will reduce the duties on wine and brandy, and then we shall feel ourselves entitled to reductions of duties on our manufactures?" He had not taken that course, but he had said, "You have concessions to make which are of great importance to our manufactures; we have concessions to make of great importance to you in respect of your cultivation of the vine; we insist upon it that these reciprocal concessions shall be simultaneously made." And if the right hon. Gentleman took that course with regard to Texas and France, did not the right hon. Gentleman think that he should be better able to negociate with slave-holding parties, and attach conditions favourable to abolition of the slave-trade, to concessions of duty on foreign sugar? The noble Lord had repeated the argument which had been used last year; that if tobacco and cotton were allowed to come in, sugar also ought to be permitted to be imported. Sugar was a new concession, but surely the noble Lord would not deny that there was something in the cultivation of sugar which took it entirely out of the same category with those other articles to which he had referred. He had been very much struck with the opinion expressed by Sir Lionel Smith in reference to the introduction of labour into the Mauritius. Sir Lionel Smith said, that he was charged with a want of sympathy for those engaged in the cultivation of the sugar cane; but he declared that he had seen too much of the consequences entailed upon those engaged in that labour to view its cultivation with anything but horror. There was something, therefore, in the cultivation of the sugar-plant peculiarly destructive to human life, and he thought that to open the market of this country at the present time, to allow the introduction of the produce of the sugar-growers of Cuba and Brazils, without any stipulation for the advantage of the negro, would be to detract from the character of this country, and to lower it in the estimation of foreign nations. There were parties in all these countries, and contests were going on between them. There were parties in favour of slavery, and parties averse to it. Should we then show a desire to foster the present practice of slavery? Should we do anything to raise a presumption that our motives had not been disinterested? Should we do anything to excite a belief that in voting the sum of 20,000,000*l.* for extinguishing the curse of our colonial system, we had been actuated by any other than just principles and disinterested feelings, or should we allow it to be said that we were now actuated by no higher views than the procurement of a relaxation of these duties? His own opinion was, that if the proposition of the right hon. Gentleman was adopted, the present influence of this country would be materially abated, and that we should be unable to make any continued exertions in favour of any progress in this great cause—exertions on which the final abandonment of the slave-trade, and the extinction of slavery itself most materially depended.

Lord *John Russell* said, that there was one observation of the right hon. Baronet which he could not permit to pass without some reply. He had said, that during the ten years during which he had been in office there had been no proposition made for the admission of live cattle into this country. He doubted much whether, during any ten years which had passed since the revolution, any acts so important as those which had been adopted during the period of his Administration had been carried out. Without referring to those matters which had arisen in reference to matters of free-trade, he begged to observe that he thought that it was always in the power of the Opposition in that House, even though it was not very strong, to defend the protective interests of the country from any attack or innovation attempted to be made upon them. Such, at least, had been found to be the case from the experience of hon. Gentlemen opposite. It was not very difficult to frame some motion by which, without giving up those principles of commercial policy to which the right hon. Baronet and the right hon. Gentleman the Vice-President of the Board of Trade adhered, the partial diminution of protection might be opposed. Lord Althorp had found that to be the case in 1831, where he had proposed a diminution in the differential duty on timber. Such was the result of his experience in that House, and he thought that the Government of which he had been a member, had been justified in having recourse to other public measures of great importance, which they had thought likely to be useful to the public and to which they had conceived that no good objection could be raised, rather than introduce questions upon which a doubt might arise with regard to the success of the measure brought forward. With respect to this very question of the admission of live cattle, on which an hon. Member had made a proposition that the duty should be charged by weight instead of at per head, he for his own part professed that he had no preference over one system rather than the other. But the proposal of the Government had been brought forward with a desire for the public advantage, and the proposition of the hon. Member, that the duty should be taken by weight, had been introduced with a view to raise the amount of duty, and therefore without any obligation resting upon him to vote against the motion of the hon. Gentleman, but because he, on the other hand, had seen that the right hon. Baronet was proceeding on the right principle, he had given him his support. If, however, he had taken the opposite course, and if those hon. Gentlemen who usually voted with him had assented to the proposition of the hon. Member, he did not think that the majority for the motion of the right hon. Baronet would have been very large; nay, he believed that the right hon. Baronet would have been left in a minority. He believed that if he, as the organ of the late Government in that House, had brought forward the proposition which had been advanced by the right hon. Baronet, that proposition would have been opposed, and perhaps defeated, by the right hon. Gentleman; whereas acting in the Opposition, he had now the pleasure of enabling the right hon. Baronet to carry that measure.

Colonel *Sibthorp* said, that he should not have presumed to address the House after the speech of the right hon. Baronet, but that after the extraordinary degree of arrogance with which the noble Lord had addressed the House, and had talked of the measures which the late Government had brought forward, and the services which he had rendered the right hon. Baronet, he could not help saying, that he did not know one single act of the noble Lord which had met with the approbation of the country.

The Committee divided on Mr. Labouchere's motion to levy a duty of 30*s.* on foreign sugar:—Ayes 164; Noes 245: Majority 81.

List of the AYES.

Acheson, Visct.
Aldam, W.
Anson, hon. Col.
Bannerman, A.
Baring, rt. hon. F. T.
Barnard, E. G.
Bell, J.
Bellew, R. M.
Berkeley, hon. C.
Berkeley, hon. Capt.
Bowes, J.
Bowring, Dr.
Brotherton, J.
Browne, R. D.
Browne, hon. W.
Buller, E.
Busfeild, W.
Byng, G.
Byng, right hon. G. S.
Callaghan, D.
Cavendish, hn. G. H.
Chapman, B.
Childers, J. W.
Christie, W. D.
Clay, Sir W.
Clements, Visct.
Cobden, R.
Colborne, hn. W.N.R.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Curteis, H. B.
Dalmeny, Lord
Dalrymple, Capt.
Dashwood, G. H.
Denison, J. E.
Dennistoun, J.
Divett, E.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Easthope, Sir J.
Ebrington, Visct.
Ellice, right hon. E.
Ellice, E.
Ellis, W.
Elphinstone, H.
Esmonde, Sir T.
Ferguson, Sir R. A.
Fielden, J.
Fitzroy, Lord C.
Forster, M.
Gibson, T. M.
Gill, T.
Gordon, Lord F.
Gore, hon. R.
Granger, T. C.
Greenaway, C.
Grey, rt. hn. Sir G.
Hall, Sir B.
Hanmer, Sir J.
Hastie, A.
Hawes, B.
Hayter, W. G.
Heneage, E.
Heron, Sir R.
Hindley, C.
Hollond, R.
Horsman, E.
Howard, hn. C. W. G.
Howard, hn. J. K.
Howard, Lord
Howard, P. H.
Howard, hon. H.
Howick, Visct.
Hume, J.
Humphery, Mr. Ald.
Hutt, W.
Johnson, General
Johnstone, A.
Labouchere, rt. hn. H.
Langston, J. H.
Lascelles, hon. W. S.
Layard, Capt.
Lemon, Sir C.
Leveson, Lord
Macaulay, rt. hn. T. B.
M'Taggart, Sir J.
Marjoribanks, S.
Marsland, H.
Maule, right hon. F.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Murphy, F. S.
Murray, A.
Napier Sir C.
Norreys, Sir D. J.
O'Brien, C.
O'Brien, J.
O'Brien, W. S.
O'Connell, D.
O'Connell, M.
O'Connell, J.
O'Conor, Don
Ogle, S. C. H.
Ord, W.
Paget, Col.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Pendarves, E. W. W.
Philips, G. R.
Philips, M.
Plumridge, Capt.
Ponsonby, hon. J. G.
Pulsford, R.
Redington, T. N.
Rice, E. R.
Ricardo, J. L.
Roche, E. B.
Roebuck, J. A.
Rumbold, C. E.
Russell, Lord J.
Russell, Lord E.
Scholefield, J.
Scott, R.
Scrope, G. P.
Sheil, rt. hn. R. L.
Shelborne, Earl of
Smith, rt. hn. R. V.
Somers, J. P.
Stanley, hon. W. O.
Stansfield, W. R. C.
Stuart, Lord J.
Stuart, W. V.
Strickland, Sir G.
Talbot, C. R. M.
Tancred, H. W.
Thornely, T.
Towneley, J.
Trail, G.
Turner, E.
Vane, Lord H.
Villiers, hon. C.
Vivian, J. H.
Vivian, hon. Capt.
Wakley, T.
Walker, R.
Wall, C. B.
Wallace, R.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
Wemyss, Capt.
Wilshere, W.
Winnington, Sir T. E.
Wood, B.
Wood, C.
Wood, G. W.
Worsley, Lord
Wrightson, W. B.
Yorke, H. R.

TELLERS.

Hill, Lord M.
Tufnell, H.

List of the NOES.

Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Ackers, J.
Acton, Col.
Adare, Visct.
Adderley, C. B.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Arkwright, G.
Ashley, Lord
Attwood, M.
Bagge, W.
Bagot, hon. W.
Bailey, J.,
Bailey, J., jun.
Baillie, Col.
Baillie, H. J.
Baird, W.
Baldwin, B.
Bankes, G.
Barclay, D.
Baring, hon. W. B.
Baskerville, T. B. M.
Bell, M.
Bentinck, Lord G.
Beresford, Capt.
Berkeley, hon. G. F.
Bernard, Visct.
Blackburne, J. I.
Blakemore, R.
Boldero, H. G.
Botfield, B.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Brooke, Sir A. B.
Bruce, Lord E.
Buck, L. W.
Buckley, E.
Buller, Sir J. Y.
Bunbury, T.

Burroughes, H. N.
Campbell, A.
Cardwell, E.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hon. H.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Cochrane, A.
Cockburn, rt. hn. Sir G.
Codrington, C. W.
Collett, W. R.
Colville, C. R.
Compton, H. C.
Coote, Sir C. H.
Corry, rt. hn. H.
Courtenay, Lord
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.
Denison, E. B.
Dickinson, F. H.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Dugdale, W. S.
Duncombe, hon. A.
East, J. B.
Eaton, R. J.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Fellowes, E.
Ferrand, W. B.
Filmer, Sir E.
Fitzroy, hon. H.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Goring, C.
Goulburn, rt. hn. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Grant, Sir A. C.
Greenall, P.
Gregory, W. H.
Grimsditch, T.
Grimston, Visct.
Grogan, E.
Hale, R. B.
Halford, H.
Hamilton, J. H.
Hamilton, W. J.
Hampden, R.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Hayes, Sir E.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hill, Sir R.
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Hogg, J. W.
Houldsworth, T.
Hope, hon. C.
Hope, A.
Hornby, J.
Hughes, W. B.
Hussey, T.
Inglis, Sir R. H.
Jackson, J. D.
James, Sir W.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Johnstone, H.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kelburne, Visct.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Knight, F. W.
Knightley, Sir C.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Legh, G. C.
Leicester, Earl of
Liddell, hon. H. T.
Lincoln, Earl of
Litton, E.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. General
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.
M'Geachy, F. A.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
March, Earl of
Marsham, Visct.
Marton, G.
Master, T. W. C.
Masterman, J.
Miles, P. W. S.
Miles, W.
Milnes, R. M.
Mordaunt, Sir J.
Morgan, O.
Munday, E. M.
Neville, R.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Northland, Visct.
O'Brien, A. S.
Owen, Sir J.
Packe, C. W.
Pakington, J. S.
Palmer, R.
Patten, J. W.
Peel, rt. hn. Sir R.
Peel, J.
Pemberton, T.
Pigot, Sir R.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Pringle, A.
Pusey, P.
Rashleigh, W.
Reade, W. M.
Reid, Sir J. R.
Repton, G. W. J.
Richards, R.
Rolleston, Col.
Rose, right hon. Sir G.
Round, J.
Rous, hon. Capt.
Rushbrooke, Col.
Sandon, Visct.
Scott, hon. F.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Somerset, Lord G.
Stanley, Lord
Stanley, E.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Taylor, T. E.
Thesiger, F.
Thompson, Mr. Ald.
Tollemache, hon. F. J.
Tomline, G.
Trench, Sir F. W.
Trollope, Sir J.
Trotter, J.
Turnor, C.
Tyrell, Sir J. T.
Vere, Sir C. B.
Verner, Col.
Vernon, G. H.
Waddington, H. S.
Welby, G. E.
Whitmore, T. C.
Wilbraham, hn. R. B.
Wodehouse, E.
Wood, Col. T.
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.

TELLERS.

Baring, H.
Fremantle, Sir T.

Original motion agreed to. The House resumed, and the report of the resolution to be received.

House adjourned.

HOUSE OF LORDS,

Monday, June 6, 1842.

MINUTES.] BILLS. *Public.*—$1^{a.}$ Affirmations.

Reported.—Australia and New Zealand.

$3^{a.}$ and passed:—Tyne Fisheries; Incumbents Leasing (H. C.).

Private.—$1^{a.}$ Ely Place Improvement; Camberwell and Peckham Lighting; Brentford Gas: Thames Haven Dock and Railway; St. Pancras Improvement; Boston Harbour (No. 2); Lincoln Roads.

$2^{a.}$ Ashton's Divorce; Gravesend Terrace Pier; Dundalk Road; Liverpool Improvement; Stockton and Hartlepool Railway; Cambuslang and Muirkirk Roads; Lord Sherborne's Estate.

Reported.—Yarmouth and Norwich Railway (specially); Jurisdiction of Justices; Clerkenwell Improvement; Rouma's Naturalization; Lesbazeille's Naturalization.

$3^{a.}$ and passed:—Warwick and Leamington Union Railway; New Cross Roads; Yate Inclosure; Birmingham and Liverpool Junction Canal.

PETITIONS PRESENTED. From Donaughmore, for the Encouragement of Schools in connexion with the Church Education Society (Ireland).—By Lord Melbournr, from Yarmouth, and Rickmansworth, against the Property Tax.—From Mossley, Glossop, Meltham, Radcliffe, Staleybridge, and Yeardsley-cum-Whalley, for the Repeal of the Poor-law Amendment Bill.—By the Marquess of Lansdowne, from the Ministers forming the Baptist Southern Association of England, and from Dunfermline, for the substitution of Affirmations in lieu of Oaths, and for the Abolition of Church Rates and Ecclesiastical Courts, and against any further Grant of Money for Church Extension.

CATHOLICS IN WORKHOUSES.] Lord *Camoys* presented petitions from Roman Catholics in Manchester and other towns, on the subject of the grievances with respect to which several petitions had been already presented. The petition from Manchester was signed by 8,000 persons, and might have had the signatures of 50,000 if exertions had been made to procure them. He understood, that the number of Roman Catholics in the town of Manchester was not less than from 70,000 to 80,000, and that, including those of surrounding districts, they would amount to 100,000. He did not mention this by way of any boast of the numbers, but in order to call the attention of their Lordships, particularly the Members of the Government, to one subject of which the petitioners complained. Most of these were very poor persons, and of course many of them became inhabitants of union workhouses, and as the clause relating to the religious instruction of inmates, now stood, the guardians would have it in their power to deprive them of the benefit of religious instruction according to their own form of worship. He did not ask that Catholic chaplains should be appointed to workhouses; but he hoped, that attention might be given to the framing of this clause before it was too late; and that it should not be left in the power of hostile guardians to frustrate the intentions of the Legislature.

The petitions were laid on the Table.

AFFIRMATIONS.] Lord *Denman* had to lay on their Lordships' Table a bill entitled,

"An act to provide for the Affirmation of persons who had conscientious objections to taking oaths."

This bill was not intended for the abolition of oaths in general, but went to release from the necessity of taking oaths all those who had conscientious objections thereto. It was not his intention to have a registration of those classes who were to be exempted; but if any noble Lord wished to have some security that the parties exempted should be so on some peculiar ground, he would not object, though he did not think it necessary.

Bill read a first time.

THE QUEEN'S LETTER.] Lord *Kinnaird* asked, what parties were to be entrusted with the distribution of the funds collected by the Queen's letter? If the funds were to be distributed by the Government, it followed that this was only an appeal of the Government to relieve itself.

The Duke of *Wellington* rose to order. If the noble Lord had a question to put, he would be kind enough to put it, and not argue upon the consequences of the answer he might receive. He begged to remind the noble Lord that he should conform to the usual practice, and give notice of his intention to ask a question, and then he would have some chance of getting an answer.

Lord *Kinnaird* had no idea that there was so much difficulty in getting an answer to a simple question, but he would give notice, that on the earliest day he would repeat the question.

The Duke of *Wellington:* If the noble Lord pleased, to-morrow.

Adjourned.

HOUSE OF COMMONS,

Monday, June 6, 1842.

MINUTES.] NEW MEMBER.—Robert Bateson, Esq., for Londonderry County.

BILLS. *Public.*—2°· Slave Trade Suppression (Hayti); Slave Trade Abolition (Argentine Confederation); Slave Trade Treaties.

Private.—1°· Bathurst's Estate.

Reported.—Medbourn Inclosure (No. 2); North American Colonial Association of Ireland; Church Stretton and Longden Roads; Imperial Insurance Company; Stourbridge Roads; Gravesend Town Pier; London and Greenwich Railway (No. 3); Imperial Bank of England; Tay Ferries; Fleetwood Improvement and Market; Sudbury Improvement.

3°· and passed:—Camberwell and Peckham Lighting; Lincoln Roads; Wicklow Harbour; Thames Haven Dock and Railway; St. Pancras Improvement; Ely Place Improvement; Brentford Gas; Cass's Estate; City of Glasgow Life Assurance and Reversionary Company; Forth Marine Insurance Company; Metropolitan Patent Wood Paving Company (No. 2); Lough Foyle Drainage.

PETITIONS PRESENTED. By Mr. Humphrey, from Southwark, against Reduction of the Duties on Leather, and Boots and Shoes.—By Mr. Labouchere, and Lord Sandon, from Leith, and Liverpool, against the Reduction of the Duties on Cordage, etc.—By Mr. Thorneley, from Liverpool, for the Reduction of the Duty on Foreign Sugar; and from Prescott, for the Reduction of the Duty on Coffee.—From the Legislative Council of Prince Edward Island, for the Repeal of the Duty on Colonial Corn and Provisions.—By Mr. O'Connell, from P. S. Cropper, for Investigation into the late Proceedings at the Belfast Election.—From Ulverstone, and Fylde Union, for Alteration of the Poor-law Amendment Act.

BELFAST ELECTION.] Mr. *O'Connell* rose to present a petition, touching a matter of which he had given notice, and he should shortly state the nature of it to the House, as he intended to move, that it be printed with the votes. The petition was from Stephen St. John Cropper, late of Ann-street, Belfast, innkeeper, and stated he had been bribed by Mr. E. Tennent's and Mr. Johnson's friends, and promised a place by Mr. E. Tennent himself. The petitioner prayed, that the House would appoint a committee to examine witnesses on oath, and that witnesses might be indemnified so as to enable them to state all the circumstances that came within their knowledge. He should move, that the petition be laid on the Table and printed with the votes.

Motion agreed to.

Bishop of Quebec.] Mr. *W. O. Stanley* rose to put a question to the right hon. Gentleman, the Secretary at War, relative to a correspondence that took place between the commanding officer of the second battalion of Grenadier Guards, and the Bishop of Quebec, and Montreal, relative to the erection of a tablet in the cathedral church of Quebec to the memory of an officer of rank belonging to that regiment, who died when on service in that city. The hon. Gentleman stated, that the officer in question having died in Quebec, while in the service of his country, his brother officers were desirous of testifying their esteem for his character and conduct by placing a tablet to his memory in the cathedral church of Quebec. On applying to the Bishop of Quebec and Montreal their request for liberty to erect this tablet was refused. A lengthy correspondence ensued between the commanding officer of the regiment and the bishop, and the application was ultimately refused, on the sole ground that the deceased was not a communicant of the English church. He wished to know if the right hon. Gentleman opposite was officially aware of any such correspondence having taken place, and if so, whether he had any objections to its production.

Sir *H. Hardinge* was aware, that some correspondence had passed between the Bishop of Quebec and the commanding officer alluded to; but as it had not been communicated to the Horse Guards, the War-office, or any other public department, he was unable to produce it. He would take this opportunity of saying, that as he had himself served in the same regiment with the deceased, he could bear his testimony to his many and varied good qualities.

Newcastle-under-Lyme.] Mr. *Adderly* rose to move, that Mr. Speaker do issue his warrant to the clerk of the Crown to make out a new writ for election of a burgess to serve in this present Parliament in the room of J. Quincey Harris, Esq., whose election has been determined to be void. He believed no case had been made out against the borough of sufficient gravity to warrant the suspension of the writ. The only grounds on which a charge of bribery had been made against the borough was the prevalence of an old custom of the successful candidates presenting their supporters with a sovereign each. He thought, that after the decision the House had already come to in a case of this nature, they would be pursuing a very inconsistent course were they to suspend the writ in the present instance.

Mr. *Hume* could not agree to the motion. He was personally unconnected with the borough, and his opposition to the issuing of the writ was solely founded upon what he read in the printed report of the committee appointed to inquire into the proceedings at the late election. He would appeal to the House, as they were about to bring in a bill, having for its object the putting down of bribery and corruption; and as a committee had been appointed to investigate into alleged corrupt practices in five or six boroughs, whether this case should be allowed to pass unnoticed, and whether or not the scenes which had taken place at Newcastle-under-Lyme should not be strictly investigated. The printed evidence went to prove twelve individual cases of bribery, naming the amount paid in each case, and the agent in the transaction, and on these grounds one of the sitting Members was unseated. It further appeared from the evidence, that a most objectionable practice had prevailed for many years of distributing money, under the name of "dinner money," and "market money," and various other local terms. He wished the House to be in full possession of the evidence on those points, and he thought that the writ should not be issued until it was ascertained to what extent this money had been distributed, how general was the practice, and in what way it was applied. It appeared also from other statements, that lending of money by the Members to the electors was another objectionable practice very commonly pursued. He wished that no writ should be issued in favour of any place until alleged bribery had been fully inquired into; and he now appealed to the House not to allow the writ to be issued in the present case until the expiration of fourteen days, a course which the House had decided with respect to other boroughs. He trusted that the right hon. Baronet opposite would see in this case sufficient reason to induce him not to issue a writ which would lead in this case to a repetition of those practices which a recent decision of the House had given rise to in another instance. He would propose that the writ be suspended for a period of fourteen days; and he moved that a committee should be appointed to inquire into the extent of bribery and corruption prevalent at the last election at Newcastle-under-Lyme.

Mr. *O'Connell* seconded the motion. He would wish to call the attention of the House to what had formerly happened with respect to the borough in question. In the year 1838 a committee sat to determine the merits of a disputed election, and on the 8th of March in that year, they reported the results of their inquiries to the House. Lord Ebrington, who was chairman of that committee, informed the House, that from the evidence heard before the committee, it was clear that a most objectionable practice had prevailed in the borough for many years of distributing money after the election to the poorer voters. This statement was made in March 1838, and they found, by the report now before the House, that the same practice was pointed out in almost the same terms. They thus found that the attention of the House had been already called to these practices as most objectionable, and he was surprised that any kind of apology was attempted to be made for them, on the ground that the persons receiving the money were poor, for a selection had been carefully made. It might, at the time the first committee sat, have been said the exposure to public censure would have terminated the practices reprehended; that exposure had done nothing; and was this House to send down a writ for Newcastle-under-Lyme without first instituting a rigid inquiry as to the practices prevalent there? If they did, it would be conferring a sanction upon the existing mal-practices. Drunkenness—the most profligate drunkenness—had prevailed, not only among the electors, but pervading the entire class of the working men; and all this profligacy could be traced to the demoralizing effects of the enormous quantity of liquor given away during the election time. He had evidence, too, that much of the bribery had been carried on through the instrumentality of a preacher—of a minister of religion. He had, moreover, to tell the House of the horrible fact of a father who was conducive to the perjury of his son. The father had been instrumental in bribing the son. He attended him to the polling booth, when the bribery oath was administered to him. He took it and voted, and when the father was asked how he could allow his son to perjure himself, he attempted to excuse himself by saying, that many others had done the same thing. If he made out a case of profligate drunkenness, of gross bribery, from the report of the committee, and if he could show the most abandoned disregard of the sacred duties imposed by an oath, he would ask was that a case in which the House would venture to issue a writ, and entrust those drunkards, those bribed wretches, those perjurers, with the power of returning Members to this House? He would refer, first, to the drunkenness. Mary Waite, the landlady of a tavern, was examined, and this was part of her evidence:—

"Did you on the Monday serve any but the committeemen in your house with drink?—The committee gave orders; I do not know who had it. You told me you had no orders but what the committee gave you; what orders did the committee give?—For refreshment and liquor. What orders did the committee give? For liquor. When was that?—During the election. Was that on the Saturday or the Monday?—During the canvas. Who was it for?—For themselves and others. Where were the others to be served?—In the tap-room. Did they come and have it?—Yes. Did they pay for it?—No. In numbers?—Yes."

So that it appeared that the order was unlimited to supply all who came. The next witness examined was Waite, the husband of the preceding witness. He was questioned as to the persons who were to be supplied with liquor for nothing:—

"Have you any doubt that the order was for burgesses to have the liquor?—Yes, I should have my doubt about that, that the burgesses were alone to have it, and no one else. Did you take the order from the committee?—No. Did you see any parties engaged in drinking the liquor ordered?—Yes, I dare say I did. Did you or did you not?—I should say I did, backwards and forwards in the House. Were they or were they not burgesses who were drinking it?—Yes, and others that were not burgesses. Were those their wives and families?—Yes, I dare say they were amongst them. Were the parties drinking the liquor ordered by the committee either burgesses or the wives and families of burgesses?—I should say the burgesses, and those that were not burgesses amongst them. Men that were not burgesses?—Yes. In short, any body who pleased?—Yes, I dare say that was the case at election time."

Drunkenness, indeed, was so common at the election time that they heard all this as a mere matter of course. The witnesses who gave this testimony were most unwilling witnesses, but the testimony was forced from them. Eliza Davis, a waitress at the Cock Inn, kept by Mr. Waite, was asked,—

"What happened between twelve and one o'clock at night?—There was an order came down. Whom from?—I cannot say. After the order came down, what happened?—They let any one have it as liked. Have what?—Spirits. Out of what vessels were they filled?—Out of the casks. Out of the casks into what?—Into jugs. How were they handed to the people?—In any way, so as they could get them. Were there many people there?—Yes, a great many. How did the people behave; were they in a hurry for the drink?—Yes, in a great hurry. Do you know what scrambling means; trying against one another to get it?—Trying who should get it first. How long did this last?—About half an hour. What made it end?—I suppose the order was up. Those that came after that got none?—No. Did you see whether the barrels ran dry in that time?—No; I cannot say. There are good-sized barrels round the bar-room, are there not?—Yes. What sort of jugs were those, pints or quarts?—Pints and half-pints. That was one order; when was the other?—I think the other was about seven or eight o'clock in the morning. Which morning?—The morning of the polling-day. Did the scramble begin again?—Yes. Did the people come in numbers again?—Yes. Do you know any of the people that came?—No; I cannot say that I do. Do you know any of the people that came at night?—No; I cannot say. Can you tell whether there were any burgesses or no?—I cannot. I dare say you don't know much about the people in Newcastle?—No. Did you see anybody refused that asked?—No; I think there was no one refused. As long as the order lasted?—Yes."

So long, continued the right hon. Gentleman, as the election continued it seemed clear, then, that a beastly quantity of liquor was served, and that a most profligate degree of drunkenness was the consequence. He would now show the effect of this system upon the young tradesmen of the place, and on this point they had the evidence of a young man named Joseph Lanernor. The following were some of the questions asked him, with his answers:—

"Does it ever occur to you to be intoxicated?—Yes, I have been intoxicated. Once or twice in your life?—Yes, above scores of times. Does a week ever pass without your becoming intoxicated?—No. Committee: Do you mean that you get drunk once a week?—I have been drunk every day: you asked me whether I ever drank; I said I have. Mr. Austen: I ask you if you have been intoxicated?—I have been. I ask you if a week ever passes without your being intoxicated?—Yes, plenty. When?—I am not obliged to answer that. I ask you whether it has not happened to you very frequently in your life, short as it is, to be intoxicated?—I have been intoxicated. Have you been intoxicated day after day?—Yes, I have; I have been sober before I have got intoxicated again. But has it happened to you that, day after day, you have been intoxicated?—Yes, before I have gone home. Where do you get the drink?—I pay for it. Where do you get it?—I work for it."

This drunken young creature was cross-examined. Let the House see whether his evidence did not bear out his statements as to the effects produced by these election scenes upon the young working men:—

"You say you generally get intoxicated when you get your wages; is that common with the journeyman hatters at Newcastle?—Yes, the biggest part of them. Upon a Saturday?—And any other day they can get it. When they get their wages they get drunk?—Yes, sometimes they get it before they get their wages. And you do like the rest?—Yes."

What a fearful picture was here given of the state of the town. Here were the journeymen tradesmen getting intoxicated, the habit indeed being that they did so whenever they could; when they got their wages certainly, and before that time, if they could find means to get liquor. He would ask the House, what notion of the morality of the people of England would be entertained out of the country, if the House did not take the most decided steps to put down practices of the description of which he had just been citing examples, by a rigid inquiry into the state of the constituency. He now came to the bribery, which was exceedingly extensive. The evidence of Joseph Fellows proved that three voters were bribed with 3*l.* each by Thomas Mayer, a preacher. The same man bribed others also. He did not know of what persuasion Mayer was a preacher, but he did utter the word of God, he did pretend to call up religious feelings, and was it not most awful that this agent in bribery was a man whose voice was heard upon the Sabbath-day proclaiming the great truths of religion? Might not his influence have been originally obtained from religion—that influence so horribly perverted—and with such facts staring them in the face, would they issue a writ to empower these men to repeat these practices? In addition to the ordinary species of corruption, there was a peculiar kind of bribery practised in this borough. The system of carrying flags prevailed to a great extent. Burgesses attended every flag-bearer, and every burgess who accompanied a standard bearer received money to the extent of 3*l.* 15*s.* in money, and 5*s.* in drink. In addition to all this, it was reported by the committee that regular bribery agencies were established in the town; that there were agents appointed, and a commission charged for their trouble in bribing—Mayer, the preacher, was one of those. William Fellowes was questioned as follows:—

"You got 3*l.* you say, from Mr. Mayer; what was that for?—For voting. Was that the same Mr. Mayer that you spoke of before?—Yes. Did you go to him to ask for money after the election?—Yes. When was that?—At night, after the election was over. Who went with you?—My wife. You said something about his having no change?—He said he had no change. And then you got a pound and a half of cheese from Mayer?—My wife did. Did you get all the 3*l*?—No. How much did you get?—Two pounds, eighteen shillings; he stopped 2*s.* for his own trouble."

"Market money," and "dinner money," were given after every election. He now came to the third point—perjury. He would read the particulars of the case to which, with reference to this part of his charges, he had already referred. Thomas Gullimore was examined as follows:—

"You voted for Buckley and Miller; did you see your son vote?—Yes. Was the bribery oath put to him?—Yes. Did he take it?—Yes. He swore that he had received no bribe?—Yes. Were you by at the time?—There was only one man voted between him and me; I voted nearly as soon as he. You were by all the time?—Yes. He swore that he had received no bribe, and no promise of a bribe?—He did swear that. You were by him, and heard the oath put to him?—Yes. Did you try to stop him, to prevent his taking the oath?—No. You stood by your son, and heard him take that oath?—Yes, and I heard many a one beside him take the oath."

His father who was present at this scene, had just been proved to have been instrumental in giving his son that bribe, which, as he stood beside him, he heard him swear that he had not received. He would put it to the House—put it to the consciences of the Members, whether such things should be allowed to pass unnoticed. Here was a father leading his son on to receive a bribe, and then consummated the villainy by perjury; and did the father show the slightest feeling—the smallest "compunctious visitings?" Did he appear to regret that he was the suborner of his son's perjury? No, he justified it? And how? "There were many besides him took the oath." Was such a matter to be flippantly disposed of—was it nothing to inoculate the whole population with crime? Were these the sources of purity of legislation? They assembled here to deliberate upon grave state matters, and those who sent them there were vile drunkards, bribers, and perjurers. A committee had sat, and instituted an inquiry into the circumstance of the former election. Instead of amendment, deterioration had since taken place, and under these circumstances he asked the House to suspend the writ and institute a further inquiry. If they would not purify the constituency by taking away the temptation to bribery, would they not at least inquire into these practices, as reported by two committees? Would they not, he appealed to them, pause until some investigation had been made, and some method suggested for the suppression of these practices?

Mr. *Liddell* hoped the House would not be induced, by the ability and ingenuity of the hon. and learned Member for Cork—a practised lawyer, who had picked out portions of the evidence to suit his own case,—to suspend the issue of this writ, and thus inflict great injustice upon the borough of Newcastle-under-Lyme. There was not sufficient evidence for such a proceeding, and as, according to the doctrine laid down by the right hon. Gentleman at the head of her Majesty's Government, every case ought to be dealt with on its own merits, he hoped the House would not punish one borough for any offences that might have been committed by others. The hon. Member for Montrose could not even state his own case without exaggeration, for instead of twelve cases of bribery, as he had stated, there were only eight. The committee—and he believed a fairer committee had never sat—were unanimous in all their decisions except one, upon which one gentleman divided alone. The committee gave no recommendation to suspend the writ. It was true there was an objectionable practice proved to have prevailed at Newcastle—that of head money. If that was an evil, and he fully admitted it to be so, let steps be taken to get rid of it There could be no doubt that it was an evil that electors should make a corrupt and venal use of the franchise entrusted to them; but it was a still greater evil that gentlemen of wealth and education should go down to these boroughs with large sums of money, in order to tempt the poor voters to give them suffrages, not according to their conscience, but according to the sums they received. These were evils upon which it behoved the House to express an opinion; and he trusted the noble Lord's bill would put an end to the improper practices which were prevalent: but because a few illiterate persons—drunken persons, if you will—in a constituency of one thousand electors, had yielded to the temptation of bribery, he trusted the House would not mix up the innocent with the guilty, or be induced to enter upon a further inquiry. Sufficient inquiry had already been made. The points of evidence selected by the hon. Member for Cork were calculated to raise a presumption that bribery was more general than the evidence proved it to be. That hon. Member spoke with very proper disgust of the drunkenness which appeared to have been indulged in, but that had nothing to do with the election. He had exaggerated the extent of the treating, for the committee found that they should not be justified in voiding the election on the ground of treating. What had been the amount of the bills at the two public-houses where all this treating was said to have taken place? Little more than 50*l.* —about 53*l.* at each—for the expenses of the candidate and his friends, with all the enormous amount of treating that was said to have taken place during a canvass that lasted for three or four weeks. He insisted there was no ground for depriving the borough of its right to send representatives to the House. If the hon. Member for Cork wished to reclaim the drunkards of Newcastle-under-Lyme, he recommended him to send down his friend Father Mathew who had been so successful in Ireland, and perhaps he might be able to mend their morals. But he hoped the House would not visit the borough with a punishment which it did not deserve. He should certainly divide in favour of the motion of his hon. friend the Member for North Staffordshire.

Mr. *C. Buller* maintained that the practice of distributing money, as had been done at Newcastle-under-Lyme, was nothing else but bribery. It was bribery paid after the election to avoid the consequences of paying it while the election was going on. The hon. Gentleman had tried to make the House imagine that very little money had been paid; but let them see what the evidence said: Thomas Emary is asked,—

> "Is Hill a voter?—Yes. He voted for Buckley and Miller?—I believe he did."

[*Interruption.*] I believe (said the hon. Member) for my own part the evidence is just as strong against the sitting Member as against the Member that has been unseated. I do not mean to say that he should on that account be unseated before he has been heard, and before his case has been inquired into. But I will now quote the evidence:

> "My learned friend has been asking you a good deal about your expectations, and you have told him about a rule in the borough; your expectation is on account of that rule?—Certainly. Your only expecting is the rule?—Yes; they generally call it market money. That rule, you say, Mr. Buckley and Mr. Miller have complied with, and they have paid?—Yes, I believe they have, to all those that did not get £5 for their vote."

What did this evidence indicate, but that there was a kind of rude justice among the electors of Newcastle, and that they were at all events desirous that no man should get the 5*l.* twice over? The character of the borough was notorious for bribery. One witness after another had proved that money had been distributed among the electors under the various denominations of head-money, flag-money, colour-money, and market-money. [Mr. *Liddell:* Read the next answer.] I will do so with pleasure, for it makes my case still stronger:—

"Do you know of any persons having received the 1*l.* market-money from Mr. Buckley and Mr. Miller?—I do not know any one individual, to tell the truth, but it was a general remark that it was the case."

He had thus the general notoriety of the practices that prevailed in the borough; he had the most objectionable practice, as it had been described by the committee, of giving head-money; he had proofs of the disgusting practice of drunkenness, and with this evidence before them, if the House should determine on sending down this writ, it would be the same thing as sending down an order for so much drunkenness, and for the distribution among the electors of so much head-money, and so much market-money. He saw that Mr. Miller was one of the candidates on the present occasion; so they would be sending down the same candidate to the same electors, and must look for a renewal of the same practices. He differed from many Gentlemen on his own side of the House on the subject of disfranchising boroughs. He thought it an objectionable practice to suspend a writ, unless it was understood that that suspension was to be followed up by some practical measure; but here a practical measure was in view. The House which had appointed a committee of inquiry to investigate these corrupt practices, and had determined to adopt some remedial measures, and his noble Friend was that night to bring in a bill for the express purpose of preventing the repetition of such practices. Under these circumstances, it was impossible there could be a case where it would be more justifiable to suspend the writ, when it was proved that the last election for the borough was carried by bribery.

The *Solicitor General* wished to state the reasons why he should vote against the suspension of this writ, and he could assure the House that he was not led to that conclusion by any approbation of the practices which appeared to have prevailed at Newcastle-under-Lyme of paying head-money. He agreed with the Gentlemen opposite that some very objectionable practices had prevailed, and he thought no one could find fault with the committee for unseating the Member who was proved to have been by his agents a party to those practices; but he should have been glad if some other Member of the committee, besides his hon. Friend had stated the views of the committee as to the effect of the evidence, because it was impossible not to see that the right hon. and learned Member for Cork had selected certain passages as if they were applicable to the constituency of the borough, when it was perfectly plain that they were applicable only to a very small portion of it. Why there was scarcely a borough or a county in which you could not in this manner make out a case for the suspension of the writ. Nobody of course complained that the decision of the committee, which left the right hon. and learned Member his seat, was not perfectly right, but if any one would take the evidence in that case, and read the evidence as to the scenes of violence and outrage which had occurred, and read that part only, and demand of the House whether that was the sort of constituency to which they were prepared to send a writ, might not as strong a case be made out for the disfranchisement of that constituency as any that existed here? That might be done in any case; but that was not the way to look at the case; and notwithstanding the charge or insinuation that every man who did not at once assent to any proposition that might be brought forward purporting to put an end to bribery and for the suspension of a writ, was not anxious to put down bribery—in spite of that charge, he felt it his duty to exercise his judgment upon every proposition that might be submitted to the House; and he knew of nothing more dangerous or objectionable than the power which the House of Commons seemed to be assuming to itself of suspending writs. On what principle did the House propose to exercise this power in the case before it? His hon. Friend the Member for Liskeard said, the practice of suspending a writ was a bad one, unless it were followed up by some remedial or penal measure. What was the authority for such a proceeding at all? Hon. Gentlemen spoke as if it was a power to be exercised for the purpose of punishing a borough or some parties in it; but he did not apprehend that the constitution gave that power to the House on any such ground. If they wished to disfranchise a borough, it must be by an act of the Legislature; but the House of Commons had no power of suspending a writ for the purpose of punishing a borough. The only constitutional reason or ground for the suspension of a writ was, that the House of Commons was on the point of taking some practical step against a borough, to be followed up by a legislative measure, and that it was not expedient to issue the writ in the meantime. If any Gentleman told him, that there was sufficient in the evidence to disfranchise the borough of Newcastle-under-Lyme, and undertook to bring in a bill for that purpose, he would understand the object of suspending the writ. In the present case, no witnesses had refused to answer the questions put to them. It was not like the case of Southampton, where the witnesses refused to disclose what they knew, on the ground of criminating themselves. There had been no compromise. The inquiry was followed up. All the witnesses answered the questions put to them. They were examined with respect to bribery and treating; and with regard to treating, which the right hon. Member for Cork put forward as the most important part of his case, it was stated by one Member of the committee, and not contradicted by any other, that the committee did not consider the treating sufficient even to unseat the Member. If not, it surely was not sufficient to disfranchise the borough. The committee had acted with the utmost impartiality throughout. Whoever looked at their resolutions must see, at least, that no party motives had influenced their report. They reported that three persons in one family, and five other persons, had received bribes, but there was no report at all against the borough. There was no recommendation that the writ should be suspended, and neither the chairman nor any other Member had made any motion to that effect, and as far as the statements in the report of the committee went, it appeared that they did not consider there was any ground for proceeding against the borough. If, then, there was no ground for disfranchising the borough, was there any for suspending the writ. He believed, that most objectionable practices prevailed, and if any bill was brought in by the noble Lord, he hoped he would be able to introduce some enactment to meet them, for one great objection to the present system was that committees doubted whether cases of that nature came under the class of bribery that only suspended the writ. The facts were not disputed. They had the report of the committee of 1838, and that of the late committee, with respect to head money. If they thought it necessary to disfranchise the borough, suspend the writ; but if not, why suspend it? What was the object? The hon. Member for Montrose had stated none, nor had the hon. Member for Cork. The hon. Member for Liskeard said, it was necessary to suspend the writ, because the noble Lord, the Member for the City of London was about to bring in a bill for the effectual prevention of bribery, but what had that to do with the suspending this writ? Was it meant that the writ should be suspended till the bill should become law. For what purpose? He could very well understand it if the noble Lord was about to bring in a bill for preventing bribery, and enabling parties in those boroughs in which bribery prevailed to be dealt with by the bill; but he could not conceive that the bill which the noble Lord was about to bring in, furnished any reason for suspending the writ. He objected to such a proceeding on constitutional grounds. He did not think the House of Commons ought lightly to adopt such a step. It would be unconstitutional to suspend a writ merely for the purpose of punishment; and if any legislative measure were proposed for the purpose of putting an end to bribery, he should be quite ready to lend any aid in his power for the purpose of making it effectual. But no such legislative measure had been proposed, nor did he find that any such was contemplated. With respect to drunkenness, surely the evidence given before the committee by the journeyman hatter, was no ground for suspending the writ. Let the House consider who they would be punishing by a suspension of the writ. There were a thousand electors in Newcastle; and on the evidence of a drunken journeyman hatter they were asked to take this step! Now, however objectionable treating might be, it was a very different case to giving money to private persons for their votes. It certainly was a highly objectionable practice; but it did not show, that the constituency of Newcastle was in that rotten and depraved state that this House ought to suspend the writ. And if the House, having all the evidence before them, and there being no allegation of a compromise, were not prepared for a legislative measure, he, for one, would not give his vote in favour of the suspension of the writ; for he believed it was not justifiable to do so, unless further legislative measures were taken upon the subject.

Mr. *Bernal*, as a Member of the committee, agreed with his hon. and learned Friend, the Solicitor-general, that there was no evidence with respect to drunkenness or treating in the borough of Newcastle sufficient to unseat the Members. But, in coming to what was the constitutional doctrine, he thought his hon. and learned Friend took too narrow a view of the question. He said, it was not constitutional to suspend a writ in any case where the House was not prepared immediately, *per saltum*, to disfranchise the borough. On that point he joined issue; and would say that, according to the practice which had prevailed of late years, and a salutary, wholesome, and necessary practice it was, that if they intended to be serious, and convince people out of doors that they were in earnest in their attempts to put down mal-practices at elections, they must suspend the writs in cases where committees reported against boroughs. He asked his hon. and learned Friend opposite on what ground the notification was made by the committee in their report, that objectionable practices had prevailed in this borough at the last and previous elections? Upon what ground did the committee of 1838 make a similar notification to the House? What was the use of such a notification, except to induce the attention of the House, and to call upon the House to take some steps on such a notification? If this were not so, it was mere child's play to give committees the powers with which they were invested. The point was, whether there was a sufficient indication in the opinion of the committee that it was incidentally proved before them that objectionable practices prevailed in Newcastle-under-Lyme, not only at the last, but also at previous elections. The committee reported that; and in his opinion that was sufficient ground for further investigation. It was said that it was not necessary to go into the argument whether head-money was bribery or not. He thought it was the province of the House to go into that question. It was enough, however, that the committee of 1838 proved to the same extent, and in the same spirit, and that four years had since passed away without anything having been done to remedy the practices or counteract the evil which must naturally result from these practices. But in 1842, when a committee reported the same, it was said, "Oh, it is not constitutional to suspend the writ; wait until some measure drops from the clouds, or the noble Lord brings in his bill." But if this bill did not pass into a law, still they would be considered as having done their duty as the House of Commons, because it was argued not to be constitutional to suspend the writ. Upon that narrow pivot the whole question turned. The hon. Gentleman concluded by stating that he should give his vote for the amendment of the hon. Member for Montrose.

Mr. *Williams Wynn* would be sorry if the vote he was about to give should infer disapprobation of the argument that this House ought to be most jealous and most particular in agreeing to any motion for the suspension of a writ. He should be sorry also to be supposed not to agree with his hon. and learned Friend the Solicitor-general, that there were not grounds in the evidence before the Newcastle committee upon which to frame a bill for the disfranchisement of the borough. He did not conceive that there were; but he did think there grounds which not only warranted, but actually required further inquiry. In the first place, this was a second time that it had been reported that an objectionable practice prevailed in Newcastle of distributing money under particular appellations to the poorer voters after the election; and it was his decided opinion that when those parties voted they did so with the expectation of receiving this money at a future period. He remembered it was stated before the committee, in the case of the borough of Warwick, that it was the constant practice of a person, who was known by the name of "The Miller," to go round as soon as the period for presenting petitions had elapsed and distribute money among the electors. That seemed to be very much the case in the borough of Newcastle, except, perhaps, that on this occasion they had to wait until the decision of the committee. The acceptance of head-money was stated in the evidence to have been very general. There appeared to be no less than six agents for the purposes of bribery, subordinate agents, for they could not be assumed to be the heads of it, and it was naturally supposed that they were employed by some other agents. It was proved in evidence by Isaac Titensaw, that in Newcastle there were six burgesses to each of the three great flags of the party, and three burgesses to each of the six or seven small flags, and that all these received, as flag-bearers, 3*l.* 15*s.* each. Now, those gentlemen did not take the trouble of carrying the flags themselves. They were merely flag-bearers for the purpose of receiving a large fee, and Titensaw gave a sovereign and a pair of boots to a man for acting as his deputy, There was also very similar evidence with respect to the band. But if it were asked, "Would you proceed to disfranchise the borough," he would distinctly say "no." The view he entertained was, that by sifting the evidence given before the committee, and by inquiry, it might be found out to what extent those objectionable practices were carried on, and what number of persons had actually been bribed. It was said that one feature of this case was that no witness had refused to answer; but then the evidence given before the committee proved more than sufficient bribery to unseat the Members. In the recent Ipswich case, he recommended a general instruction to the Attorney-general to prosecute those persons who were concerned in acts of bribery, and he did so because he could not tell how many of those against whom there was specific evidence it might be necessary to employ as witnesses in order to convict the principal offenders. And he was still of opinion that that mode of prosecution was justified both by precedent and principle. There had been repeated instances in which the Attorney-general had been directed to prosecute the author, publisher, and printer of a libel, not to punish all the three, but, if he could not get at the author, to proceed against the publisher, and so on. No longer ago than the year 1835, in the case of the borough of Ipswich, a general instruction was given to the Attorney-general to prosecute such persons as should appear to have been engaged in the practices carried on in that borough. But, as the House was now unwilling to commit this duty to the Attorney-general, they had no option but to agree to a committee, unless they meant, that in this case, there should be no punishment awarded against the borough, or against individuals. He knew he was censured, and was told, "Will you punish these poor persons, for the bribers are of the lower orders as well as the bribed;" but, in answer to that, he could only say, he knew no way of checking offences, but by punishing offenders.

Sir *Robert Peel* had already stated, that in similar cases to the present, he had found it exceedingly difficult to adopt any principle which was capable of a general application. He must, therefore, judge of the merits of each particular case by itself, and having weighed and mateally considered these, then to come to a decision from a review of its special circumstances. In attempting thus to apply himself to each particular case, he might appear inconsistent, and his opinions conflicting—but he did not think, that he was fairly liable to such an imputation. He referred to the cases of Ipswich and Southampton. In the case of Ipswich, he had stated he did not consider that either in the report of the committee, or the evidence reported by the committee, there was sufficient to warrant them in suspending the writ. He thought, that the suspending of the writ was a most important matter in itself. It was a most important precedent to establish; and he thought, that nothing but very peculiar circumstances could justify the House of Commons in suspending the constitutional rights of the constituents. He thought, that the noble Lord opposite had admitted that the suspension of the writ in the case of Ipswich was a matter difficult to determine. He did not find in the report of the committee for Ipswich, that the committee thought, that there was ground for disfranchisement; nor did they recommend an inquiry on that ground. It had been stated, that there was extensive bribery in the borough; but then the committee were not of opinion, that there were grounds for disfranchisement, or that there ought to be an inquiry with a view to the disfranchisement. The committee was the recognised tribunal, and they ought to have its distinct recommendation for further inquiry, and no Member of the committee had ever proposed it. As to the case of Southampton, if he were to decide it upon the report of the committee alone, he must have voted for the issuing of the writ. But, in that case, they had the petition of 300 electors, who supported the general allegations contained in the petition, and they stated, that there was an extensive system of bribery prevailing there. In addition to those reasons for further inquiry, there was the evidence of a witness, who was willing, if indemnified, to support the allegations of extensive bribery. He thought, then, that in the case of Southampton the allegation of the 300 petitioners was, with other circumstances, sufficient for suspending the writ. They now came to deal with the case of the borough of Newcastle-under-Lyme. He confessed, that judging from the report of the committee, he did not think the case of Newcastle was so strong as that of Ipswich. He, for his part, placed confidence in the proceedings of committees, and he did so, although a different opinion had been expressed. He said, that judging from their proceedings, they seemed to be well constituted tribunals. He found, in this instance, the committee reporting against specific cases of bribery, and also that which appeared to be a most objectionable practice prevailing at the borough of Newcastle-under-Lyme—that which was the distribution of "market money." He admitted, that it was very objectionable, and ought to be abolished. He believed, that it had grown up in this way. A dinner was given after the election. There was an expensive dinner to the principal voters of the town of respectable station. The lower class of voters naturally said, "if you, gentlemen of the town, can have these pleasures, why not let us partake in them?" Then there was a dinner for that class of voters, and that ended in a commutation of the dinner for money. That practice had prevailed for a long series of years. That practice was objectionable, and if brought home to the sitting Member, would be sufficient to unseat him. If the sum were very small, and not sufficient to influence a vote, he doubted whether it might be so severely visited—but, then, long prevailing as it did, and though in some degree an abuse, yet he did not think it would be regarded as bribery by the law, or that it would not be considered as given for a corrupt purpose. He did not think it sufficient for a suspension of the writ. He did not deny the evil of drunkenness which had been referred to by the right hon. and learned Member for Cork; but, then, he saw no requisition from voters calling for disfranchisement. On the whole, he meant to give his vote on the same principle as he had given it in the Ipswich case. He did not think there was sufficient ground for their suspending the writ, and therefore he should simply give his vote for the writ being issued.

Lord *John Russell* had only one remark to make. He meant to vote for the suspension on the grounds on which the hon. and learned Solicitor-general had come to an opposite conclusion. The hon. and learned Gentleman had stated that money given in the way it was distributed in this place was very objectionable, yet there was a doubt amongst many legal persons that it was bribery, and he had recommended that there should be a clause inserted in his proposed bill with respect to it. There could be no doubt as to its objectionable nature, and that it partook very much of bribery. But then if there were a doubt as to its legality, and if legislation could put an end to it, he then said, in that case, it was adviseable for them not to issue the writ for Newcastle-under-Lyme until by the Legislature they had prohibited it for the future.

The House divided, on the question that the words proposed to be left out stand part of the question—Ayes 143; Noes 97: Majority 46.

List of the AYES.

Acland, Sir T. D.
A'Court, Capt.
Ackers, J.
Adare, Visct.
Alexander, N.
Allix, J. P.
Arbuthnott, hon. H.
Arkwright, G.
Bailey, J.
Baird, W.
Bankes, G.
Baring, hon. W. B.
Baring, H. B.
Bateson, R.
Beckett, W.
Bentinck, Lord G.
Beresford, Capt.
Bernard, Visct.
Boldero, H. G.
Botfield, B.
Broadley, H.
Broadwood, H.
Bruce, Lord E.
Cardwell, E.
Carnegie, hon. Capt.
Chapman, A.
Chetwode, Sir J.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Cockburn, rt.hn.Sir G.
Codrington, C. W.
Collett, W. R.
Connolly, Col.
Corry, rt. hon. H.
Cripps, W.
Darby, G.
Denison, E. B.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Duffield, T.
Dugdale, W. S.
Duncombe, hon. O.
Eastnor, Visct.
Eaton, R. J.
Egerton, Sir P.
Eliot, Lord
Fitzroy, Capt.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Fremantle, Sir T.
Fuller, A. E.
Gladstone,rt.hn.W.E.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Greenall, P.
Greene, T.
Grimsditch, T.
Grimston, Visct.
Grogan, E.
Hamilton, W. J.

Hampden, R.
Hardinge, rt. hn. Sir H.
Hardy, J.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hinde, J. H.
Hodgson, R.
Hogg, J. W.
Holmes, hn. W. A.'Ct.
Hope, hon. C.
Hughes, W. B.
Humphery, Mr. Ald.
Hussey, T.
Inglis, Sir R. H.
Jackson, J. D.
Jones, Capt.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knightley, Sir C.
Lefroy, A.
Lennox, Lord A.
Lincoln, Earl of
Litton, E.
Lockhart, W.
Long, W.
Lowther, J. H.
Lygon, hon. General
Mackenzie, T.
Mackenzie, W. F.
Mc Geachy, F. A.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Milnes, R. M.
Morgan, O.
Morgan, C.
Murray, C. R. S.
Neeld, J.
Nicholl, rt. hon. J.
O'Brien, A. S.
Packe, C. W.
Pakington, J. S.
Patten, J. W.
Peel, rt. hn. Sir R.
Peel, J.
Pollington, Visct.
Pollock, Sir F.
Praed, W. T.
Price, R.
Pringle, A.
Reade, W. M.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, J.
Scarlett, hon. R. C.
Scott, R.
Scott, hon. F.
Somerset, Lord G.
Stanley, Lord
Sutton, hon. H. M.
Taylor, T. E.
Thornhill, G.
Trotter, J.
Verner, Col.
Vernon, G. H.
Vivian, J. E.
Waddington, H. S.
Wall, C. B.
Walsh, Sir J. B.
Whitmore, T. C.
Wyndham, Col. C.
Young, J.

TELLERS.

Adderley, C. B.
Liddell, hon. H. T.

List of the NOES.

Acton, Col.
Aldam, W.
Bannerman, A.
Barclay, D.
Barnard, E. G.
Bellew, R. M.
Berkeley, hon. Capt.
Bernal, R.
Bodkin, J. J.
Bowring, Dr.
Brocklehurst, J.
Brodie, W. B.
Brotherton, J.
Browne, hon. W.
Buller, C.
Busfield, W.
Butler, hon. Col.
Chapman, B.
Childers, J. W.
Christie, W. D.
Cobden, R.
Colebrooke, Sir T. E.
Courtenay, Lord
Craig, W. G.
Dennistoun, J.
Dickinson, F. H.
Divett, E.
Duncan, G.
Easthope, Sir J.
Ellice, rt. hon. E.
Ellice, E.
Elphinstone, H.
Ferguson, Col.
Fielden, J.
Gibson, T. M.
Gore, hon. R.
Hamilton, J. H.
Hawes, B.
Hay, Sir A. L.
Heathcoat, J.
Johnson, General
Lambton, H.
Langston, J. H.
Layard, Capt.
Lemon, Sir C.
Mangles, R. D.
Marsland, H.
Martin, J.
Maule, rt. hon. F.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Morison, General
Murphy, F. S.
Napier, Sir C.
O'Brien, J.
O'Brien, W. S.
O'Connell, M. J.
O'Connell, J.
Ogle, S. C. H.
Palmerston, Visct.
Philips, G. R.
Plumridge, Capt.
Ponsonby, hn. C. F. C.
Protheroe, E.
Ramsbottom, J.
Roebuck, J. A.
Russell, Lord J.
Seymour, Lord
Sheil, rt. hon. R. L.
Somerville, Sir W. M.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, Lord J.
Stuart, W. V.
Strickland, Sir G.
Strutt, E.
Thornely, T.
Turner, E.
Vane, Lord H.
Vivian, J. H.
Wakley, T.
Wallace, R.
Watson, W. H.
Wawn, J. T.
Wemyss, Capt.
White, H.
Wilde, Sir T.
Williams, W.
Wood, B.
Wood, C.
Wood, G. W.
Worsley, Lord
Wrightson, W. B.
Wynn, rt. hn. C. W. W.

TELLERS.

Hume, J.
O'Connell, D.

On the main question being put,

Mr. *Hume* considered, after the vote which the House had come to, that it would be much better for them to repeal all the bribery laws. They ought to tell candidates to go down to the different constituencies, and fairly tell them that they would buy and sell them as they pleased. Let the electors sell themselves, and the candidates buy them, if it would content a majority of the House. The mode in which they voted was for the continuance of bribery and corruption. Here was an attempt to blind the people of England. They saw the Minister of the Crown lending his opposition against an inquiry into bribery, which he did not say he would wish to countenance, because he believed he was sincerely anxious to put it down. But then, he regretted that the time of the House should be thus taken up—that they should so speak against bribery, and yet so countenance it by their acts.

Writ ordered to be issued.

BRIBERY AT ELECTIONS.] Lord *John Russell:* I have now to move for leave to bring in a Bill for the better discovery of Bribery in the Elections of Members of Parliament. In doing so, I must take it for granted, that the House will, in the same manner as they have done in former times, consider bribery an offence which poisons the fountains of representation and of morality. I know, that there are many who ingeniously argue, that as we cannot do away with all corrupt motives—as we cannot establish complete intelligence, and complete purity, in the exercise of the elective franchise, so it is useless to attempt, by the penalties of any law, to prevent the practice of bribery. Now, Sir, until I hear such arguments supported by a great number of Members of this House, I shall consider that in this, as in all other cases, you are to inquire, whether by penalties and punishment you can put an end to that which the law can reach—and this, though you may not be able to do all that you may wish to do. You must deal with respect to this as you deal with other cases in criminal law. There are vices which that law does not affect to reach—there is treachery—there is ingratitude—vices tinged with the deepest guilt. They are crimes, but not criminally punishable by our laws; for we know, that with respect to them, the attempt at legislation would be worse than useless; and we must content ourselves with the punishment of offences which are within the scope of legislation. I, therefore, consider that we may act with respect to the bribery of electors, as was once done with a crime not unfrequent in this House—the actual corruption of Members of Parliament in the disposal of their votes. It is impossible, that we can say, that every vote that may be given, may not be without bias, and without some motive that taints it with corruption about it. This we may admit, but, at least, we may endeavour, and as then it was effected; that as to the direct corruption in this House, of Members of Parliament, we are, at least, free from the vice of former times. With respect to bribery, it had been said by a great authority, "If you show me the bribery, I will show you the law and the punishment." Though it is perfectly true as to personal bribery, that no act of bribery can be committed, for which there is not some penalty affixed by law, still there is the difficulty in the discovery of the offence, and there is the additional difficulty of your being able to show it to the satisfaction of the judge and jury, or the House of Parliament, who have to decide upon it. I heard it said, a very few days ago, and I believe with very great truth, that there was not merely a very great tendency not to regard this merely as a crime, but scarcely to consider it as an offence. The practice was compared to that of smuggling and poaching, as they are regarded by whole classes of the people. But with respect to these offences, you have much better means of discovering them, than you have with regard to bribery. As regards poaching, you have opposed to it the interests of the landed proprietors, and of their servants employed and engaged in detecting such an offence; and then, as to smuggling, you have the boards of revenue, and the officers acting under them, and you have large numbers all engaged in its prevention and detection, maintained at the public expense. With respect to bribery, as the matter at present stands, it seems to me, that it is left very much to the chance of private individuals having, in pursuance of their private rights, to bring to light acts of bribery that have been committed, or that may appear hereafter to be committed; and hence you have, as you must have, an imperfect inquiry, and bribery prevailing in many boroughs, of which no complaint is made. Of all the compromises, of which you have lately heard so much, this is the natural and inevitable result. You have a trial for the decision of a seat; a person wishes to obtain a seat, and he proves so much as will convict his adversary, and there he stops—and then to hope, that he will go on to fee counsel, and pay witnesses, in order that he may attain some public object, and go to the expense of procuring punishment upon others, as a mere national duty, is more than you can expect any individual to perform. With respect, likewise, to actions in our courts of law, where parties may have lost the elections, they may, in a moment of resentment, think, that their majority may be regained by actions in the courts of law. They may do this without proceeding further. This is, shortly, one of the objects of the bill which I shall propose. It is not so much to apply new penalties to bribery, but it is to endeavour to bring to light, by more efficacious means than hitherto have been proposed, that bribery which has been committed, or that may hereafter take place. Nor should we at all despond; because, although it is impossible that bribery can be at once abolished by an act of Parliament, yet we have found that an act of Parliament, where it was intended to touch corruption in this House, was efficacious at a particular time, and with regard to the kind of bribery, in checking that practice. I believe the act which was passed in the last Session of Parliament, though the measure sent up from the Commons, was much shorn of its fair proportions in the other House, yet, I repeat, I believe, that simple enactment, making it unnecessary to prove agency, providing that parties should be allowed to prove bribery in the first instance, and afterwards trace that bribery home to the agents, or to the sitting Member—I believe that enactment has been found very effective. I say this, because I know, that there are not a few who, as the hon. Member for Montrose said just now, in his disappointment at the vote to which the House has this evening come, are disposed to say that there is no good to be derived from these continual enactments against bribery; who assert that it would be better at once to repeal all the laws against bribery, and leave the electors to do what they like. My opinion is quite different from this; and though I have no such Utopian notion as to believe that we can altogether put an end to bribery at elections for Members of Parliament, yet I am persuaded that great good may be effected by legislating on the subject, if all parties should agree in determining to consider with temper, fairness, and attention, the means which may be suggested for imposing a check upon these practices I will state the means which I shall beg to propose, under different heads. The first part of the bill which I intend to propose will have reference to the prevention of compromises, and the effectually bringing out disclosures of actual bribery before committees. I shall propose, with this view, that parties who assert bribery to have taken place within their electoral divisions, should be obliged to give — in some way so that it should only become public a few hours before the committee meet—a list of the parties who, as they allege, have received bribes; that impugned voters shall be allowed to defend their votes, and their cases be respectively considered by the election committee, and that in cases where the voters are not able satisfactorily to defend the votes they have given, such voters shall be reported to the House by the election committee, for the purpose of the parties being disfranchised by that report. I propose, in the same part of my bill, to recommend that there shall be an indemnity from the usual penalties in certain cases. What I shall propose is, that where a full disclosure is made of acts of bribery, the committee, in the mode agreed to with respect to past acts of bribery, shall have the power of reporting that certain witnesses have made full disclosures of those acts of bribery, and that in consequence they should be fully indemnified from any penalties in which they might be convicted in a court of law. I will not now state the arguments on which I justify this provision, but will go on to describe the various arrangements which I propose to introduce. I shall propose, in the same part of the bill, that the members, the candidates, and their agents, may be examined before the election committee. The next part of the bill is intended to prevent charges of bribery being compromised or withdrawn on an election petition. In the first part of the bill, I have secured, as far as possible, that the names shall be given of the parties alleged to have been bribed. In this part of the bill I propose that the committees, in certain cases, if they are satisfied that any compromise has been made, and that the proceedings have come to a premature close, or that a petition has been withdrawn in consequence of such compromise, may report to the House that such is their belief; and that then the House shall give such committee authority to proceed. It is clear, however, as I have already stated, that if this fresh proceeding, if this continued prosecution of the petition were to be left to the parties, it would be imposing an undue hardship on them; and that we have no right to call upon parties, who, pursuing their private rights, find they must expend some thousands of pounds for a doubtful result. I say we cannot call upon them to prosecute a petition under such circumstances, and I therefore propose that a solicitor or agent shall be appointed by the Speaker, or rather, perhaps, by the general committee named by the Speaker, which solicitor shall prosecute the matter of the complaint; and I propose, that if it shall then be found that bribery has been committed by the sitting member or members, the election committee shall have the power of declaring the election void, in the same manner as if the opposing petitioners had carried on the petition, the inquiry being carried on in the same manner as at present. With respect to the costs of these petitions, ultimately, I shall propose that, in certain cases, where it shall be proved that the sitting member or his agents have been guilty of bribery, on those parties shall the costs be levied; and that in other cases they shall be levied on the petitioners. There will be various clauses in respect to this part of the measure. I come now to a class of cases which do not come regularly before election committees, which do not, in fact, come before any committee appointed in consequence of a petition claiming a seat; I allude to petitions generally alleging extensive bribery to have taken place in certain boroughs. It may be that before a case comes to a hearing, or immediately after an election, there has been extensive bribery, but there may be no person inclined to risk the consequences of prosecuting an opposing petition; or it may be that in some old borough a compromise is made, of which, either one of the sitting members is at one sacrificed, or it is agreed that at the next election some particular candidate shall be allowed to take his seat without opposition. It is well known that such cases as these do occur. I shall propose, then, that where a petition is presented, distinctly alleging extensive bribery to have taken place in a particular place, such petition may be tried, by order of the House, in the same way as an election petition; that the inquiry shall be prosecuted by a solicitor or agent appointed by the Speaker or the general committee; and I shall propose that the committee shall have the power to declare the seat to be void or otherwise in this case, in the same way as in the case of an inquiry coming before a committee in the ordinary way. All these provisions are intended to effect this object, that candidates shall not in future expect that by means of a large distribution of money, by means of giving either by themselves or their agents, some four or five thousand pounds, to persons who choose to receive bribes, in whatever form, they can secure a seat in this House. With respect to those portions of the bribery which proceed from a candidate seeking the honour of a seat in this House you would impose a great check on them if you could by any effectual measures, which would act generally, and in many cases prove to them that they would not obtain the honour which they seek, that they would lose that seat in Parliament which was the object of their hopes and expectations, and be likewise losers of a very considerable sum of money, which they had parted with in that vain expectation. With respect to the persons who are bribed, their object is different; what they seek is an immediate reward in the shape of a sum of money; and the check to be placed on them is that which I have mentioned, disfranchisement; but I do not think that part so effectual as some means, if we could devise them, by which candidates should be taught that bribery in future would be unavailing, or at least, that if they were guilty of it, there was a very great probability that they would lose their seats. The next point we have to deal with is that of an entire borough. We had in the course of the past year, and, unhappily, in the course of the present Session more particularly, several cases of complaints of extensive bribery in particular boroughs. Now there are two ways in which a remedy may be applied to such evils; there are two ways in which this House may attempt to check the nuisance; one way is by disfranchisement; and I own that this seems to me to be a complete remedy when the borough is a very small one, and only enjoys the right of sending Members to Parliament originally by prescription, and now, in conformity with that prescription, under the Reform Bill. Such boroughs are only qualified by prescription, and not by their population or importance, to exercise the franchise. If we find their franchise to be exercised corruptly, inundating the country with bribery, if they possess no real importance, we may then, as in the case of Grampound before the Reform Bill, justly proceed to entire disfranchisement. There are other cases, in which particular places, such as Liverpool, Birmingham, and so on, seem naturally entitled to return representatives to Parliament, and in such cases, were we now about to redistribute the representation, we should assuredly continue to allow these places to elect Members. Now, in these places there are sometimes complaints of bribery; and some years ago, in reference to Liverpool, the hon. Member for Wiltshire introduced a bill, which he had very considerable difficulty, both in point of time and labour, in carrying through the House, for disfranchising a certain class of the electors of Liverpool—the freemen. I will not say now, whether the freemen of Liverpool ought to have been disfranchised by act of Parliament; but I think that was a remedy in the right direction; if there is corruption in a large place, in a large town, which all must agree is of sufficient importance to give it a right to representatives, the endeavour should be to form the constituent body in such a manner as seems best calculated to prevent bribery for the future. There is another mode which Parliament may take, that of suspending their power of returning Members to Parliament for one or two Parliaments, or for a limited number of years; but I do not think this mode so much in the spirit of the constitution as that I have just mentioned, and which has been in many instances sanctioned by the House; but then comes the difficulty, which I have seen as much as any man; that is to say, the difficulty of having one of these remedies carried into law. You find that an inquiry before a first election committee fails; you go through some other inquiry, either at the Bar of the House or before another committee; meantime, the public, the important political business of the Session, obliges you to postpone this inquiry from time to time, and ultimately the bill does not go to the House of Lords till the second or third Session. By the time it arrives in the House of Lords, the House of Lords being disposed to look strictly at these matters, a great portion of the evidence and many of the witnesses who established the case in the first instance may not be forthcoming, or the evidence adduced may not be such as was given on the former occasion, the wish on the part of the borough in question, being naturally to avoid disfranchisement; and it may well be found that after a year or two have elapsed, when the matter coming before the House of Lords, the evidence is not, in their opinion, sufficiently strong to support disfranchisement; not sufficient, at all events, to induce noble Lords in the profession of the law, and here I do not speak of one party or the other in the House of Lords, but of the law Lords generally. In 1834, I attempted a remedy for this evil, by proposing a select committee which should inquire into such cases. That bill was altered in the House of Lords, after considerable deliberation, I believe by a select committee, and a new shape was given to the measure. I stated, at the end of that Session, that though this was not such a bill as I should have proposed, yet I did not object to the general principle of the bill as it had been altered. The principle of the bill so altered was, that instead of a separate inquiry into these cases by the two Houses of Parliament, there should be a united investigation; that the case, being first examined in a mode analogous to the grand jury, by a committee of the House of Commons, and that it should then come before a tribunal composed of both Lords and Commons. The proposal of the Lords was, that there should be a judge to preside; and that there should be seven Members of the House of Lords, and five of the Commons, proposed by this House separately. Now, I think, that there is a very great objection to the having a judge to preside over these inquiries. I think, in the first place, that it is a matter so much concerning Parliament itself, so much concerning the functions of Parliament, and our rights as a legislative body, that it should be decided by Parliament itself, not acting under the direction of a judge. I think, likewise, that the number suggested by the Lords, assimilated to that of a jury, is too large. I should, therefore, propose, in adopting generally the principle of that bill, that there should be either five Peers and four Commoners, or four Peers and five Members of the House of Commons, constituting a commission of nine Members; and that this commission, instead of a judge, should be presided over by one of the Peers, who should be named by the Crown for that purpose. I shall propose that all the Members be named by the Crown, thinking it better that her Majesty, by her responsible advisers, should choose the persons for this sort of inquiry, than that either House should, by a majority, or any other mode, select Members for this purpose. However, this is a point for future consideration. I should propose to give to this commission the power of seeking the assistance of a judge, as their Lordships have the power of doing now in the case of impeachment. Cases of impeachment, such as happened in former times, are not likely now to arise, and do not occur in the present state of our constitution, as in the case of Strafford and of Bolingbroke; such matters as those are not likely again to engage the attention of their Lordships, but cases of corrupt boroughs are such as may occupy their attention; and I think in such cases their Lordships may very well be called upon to exercise their functions jointly with the House of Commons. I should hardly, perhaps, have proposed such a scheme in this House as an original plan, but finding that the House of Lords themselves have proposed it, I think it as good a mode of carrying on these inquiries as Parliament can devise. Then, what is to be the effect of these inquiries, and how far are they to go? I should propose that the result of them should be merely this, that the House should have a report laid before it, and should then legislate according to the circumstances, and according to the population and importance in other respects of the city or borough with which we should have to deal. Different cases would require different legislation. I do not think that we could well give such a tribunal any more power than to inquire into the circumstances, and ascertain what the facts are on which Parliament would then have to legislate. It will be necessary, when the House of Commons first addresses the Crown to appoint such a commission, that we should, by such Address, or by order of the House, obtain the services of the Attorney-general for that purpose. I do not know that I am here suggesting a very agreeable addition to the duties of that hon. and learned Gentleman, but still I think that the Attorney-general, and not an inferior law officer of the Crown, would be the proper person to be the adviser to such a tribunal. There are two other clauses in the bill, one of which is a clause to abolish the bribery oath. It appears to me that the administering the bribery oath to persons suspected or accused of bribery at an election, does not serve the purpose of preventing bribery, while it too often superadds perjury to bribery. It has been the declared opinion of Parliament, of late years, that oaths should not be needlessly kept up; and I certainly cannot but think that the bribery oath is, in most cases, liable to a sound objection. The other proposition I shall make, is in conformity with a suggestion made in the course of the debate this evening by the Solicitor-general, to the effect that the payment of any gift or valuable consideration to any voter, under whatever name, shall be deemed to be bribery. Such a provision as this is no doubt necessary. In the bill which I shall propose, there are some clauses not in conformity with the usual proceedings before courts of law. I allude especially to those clauses which give indemnity to persons who give evidence before any of these tribunals with respect to acts of bribery. It may be said that this is an indemnity given beforehand —a prospective indemnity, and, therefore, calculated to encourage persons to commit the crime on the certainty of impunity; and that, further, it is giving to these committees that power to pardon which now belongs to the Crown. I admit the latter part of this objection; but as these are inquiries which are to be made by Parliament by a joint tribunal of this and of the other House of Parliament, the power of pardoning or indemnifying, if given at all, must, as it seems to me, be given to these committees, appointed in the manner I have stated. As to the power itself, it, as I think, must be admitted, only giving a power which the Crown now has in various cases, and which is continually exercised. In great crimes, even such as murder, the advisers of the Crown are in the practice of offering her Majesty's gracious pardon to those who may have been accessory to the offence, provided they were not the actual persons who committed it; but this cannot be said to operate as an inducement for persons to commit offences. There may be another objection—that the asking persons questions tending to criminate themselves, is not in conformity with the usual proceedings of courts of law. I hold, however, with reference to all these matters, that if we wish, if we endeavour to succeed in inquiries into bribery, we shall be obliged to adopt measures going beyond the ordinary rules of courts of law. In this respect, I consider that the House of Parliament should exercise that ancient right and privilege, which have been acknowledged by the greatest judges and the ablest statesmen of this country. In the report which Mr. Burke drew up by desire of the committee, in respect to the impeachment of Warren Hastings, he pointed out with great ability those arguments which tended to show that with respect to impeachments by the House, there was in Parliament an inherent power which is not to be bounded by the usual proceedings in courts of law. I will first read to the House two quotations, the one from Coke, as given in the report of the committee appointed to inspect the Lords' journals, and another from Mr. Justice Foster, a modern authority, and I will then read to you the words of Mr. Burke. Sir Edward Coke says:—

> "It is by the '*Lex et Consuetudo Parliamenti*' that all mighty matters in any Parliament moved, concerning the Peers of the Realm, or Commons in Parliament assembled, ought to be determined, adjudged, and discussed by the course of the Parliament, and not by the writ law, nor yet by the common laws of this realm, used in more inferior courts."

Mr. Justice Foster's opinion runs thus:—

> "It is well known that in parliamentary proceedings of this kind it is, and ever was, sufficient that matters appear with proper light and certainty to a common understanding, without that minute exactness which is

required in criminal proceedings in Westminster Hall."

And Mr. Burke says—

"Your committee were fully assured, and were resolved strenuously to contend, that no doctrine or rule of law, much less the practice of any court, ought to have weight or authority in Parliament, further than as such doctrine, rule, or practice is agreeable to the proceedings in Parliament, or hath received the sanction of approved precedent there; or is founded on the immutable principles of substantial justice, without which your committee readily agrees no practice in any Court high or low, is proper or fit to be maintained."

If any of the provisions which I shall propose should be found at variance with justice, I shall be ready to abandon them; but I do not think it will be sufficient to any such provision that it is not in conformity with the usual practice of the courts of law. That practice may be most safe and admirable in cases to which it applies, but I conceive that we are bound more by the great rules of justice, and the great precedents of Parliamentary proceedings, than by any such limited and confined practice. I will conclude with saying that though, as I have already observed, I think that our legislation in this matter will not be fruitless, and that by the earnest endeavour of all parties we may effect great good, yet it does not depend on parties, much less on the leaders of parties, to effect a permanent and effectual cure for this great evil. Setting aside the leaders of parties, and those other Gentlemen who are conspicuous in this House, there are various persons of whatever party, who feel no difficulty and no scruple in spending large sums of money in elections, which, it must be obvious, are employed in bribery. There is, beyond these, a great body of electors, to whom the bribes are offered. We must hope that a better tone, that better feelings, that a more strict regard to the principles of morality on this subject will spring up and make its way, if we hope that our legislative measures should take effect. It is not by legislation merely that we can hope to succeed, but it is our part, at all events, to show that, as far as we are concerned, we will adopt any measures which can be shown to be useful, and not inconsistent with the principles of justice. I am far from despairing that, with the increase of knowledge—with the increase of religious instruction—with the increase of general improvement which we may hope to take place in the morals of the country—we may make some progress in remedying and removing this great evil. The noble Lord concluded with moving for leave to bring in a bill for the better discovery of bribery in the election of Members of Parliament.

Sir *R. Peel* said: Sir, I shall give my cordial support to the motion of the noble Lord for leave to bring in a bill to prevent the practice of bribery, and to facilitate the exposure of that offence after it has been committed. It appears to me that there are three defects in the present law with respect to the examination of witnesses. The first, is the case in which an election committee is appointed at the instance of an individual for the purpose of determining an individual right. In that case the individual having no other object than to maintain his own personal right, when the enforcement of that right becomes desperate, or the expense of maintaining it is likely to be so considerable that his private fortune would be injured, he has every motive for withdrawing from the contest. That consideration leads to compromises, several alleged instances of which we have heard of in the course of the present Session. Now I do think there ought to be a remedy for this, and that a committee having been appointed for the adjudication of an individual right, that committee ought to have the power, and ought to be compelled as a duty, to report to the House that the inquiry had been broken off on account of circumstances which the committee might set forth, and that it considered the public interest required that the inquiry should be conducted at the public charge. I apprehend that the noble Lord's measure will have for its object the providing an effective remedy for this defect. There may be cases, too, in which electors, though aware of bribery and corruption having taken place, fear to call for a Parliamentary inquiry into the matter, in consequence of the expense; and in such cases no committee would be appointed, whatever the state of the case, and there would be consequently, a great impediment in the way of justice. I am prepared to support a measure which should facilitate inquiries into such cases as these. I do not wish to transfer the onus of trying questions of individual right from individuals to the public, where such inquiries would otherwise be made in the same way as at present; but where, from some such circumstances as those which I have pointed out, the inquiry which the public interest demands would not otherwise be made, it would be highly desirable that the public should institute the inquiry, and that electors should have due protection in such inquiries. In cases where such an examination should be instituted, and should be found that the sitting Members were unduly returned, I should suggest that where the opposing candidates, by the determination of the committee, were shown to have had the majority of *bonâ fide* votes, that the seats should not be, as was proposed, declared void; but that the opposing candidates, so placed in a majority, should, as in the rule already observed, be declared the sitting Members. I think it of great importance that Members in affording facilities for candidates, who have not succeeded to petition, should take care not to transfer the onus of prosecuting an individual right from the individual to the public. When the public interest is involved in the question—when, for instance, the question arises, whether a borough should be disfranchised, or some public example should be made on account of bribery—in a case like this, it is quite right that the public should take charge of conducting the inquiry, and bear the expense of it; but, then, you must be careful, that by being too ready to transfer the expense to the public, you do not altogether do away with the inducement to the individual to prosecute his own rights. I do not say the public have no concern in the question as to who shall have the seat. What I say is, that if, without due precaution, you promote petitions to be prosecuted at the public expense, the effect will be that unsuccessful candidates may incite electors in their interest to present petitions in cases when such petitions would otherwise never be heard of. The opportunities or temptations thus presented for attempting to get a seat in the House through the means of election petitions would be a serious evil, and I hope the noble Lord provides for it.

Lord *J. Russell* was understood to say, that when the petition was prosecuted at the public expense, and the sitting Member unseated, the election should be declared void.

Sir *R. Peel:* In that case there certainly would not be so much temptation. But then, if it appeared clearly by the result of this inquiry that a majority of the electors was in favour of the unsuccessful candidate, would you, in that case, make a new election necessary? Suppose it be proved to your satisfaction that a certain individual ought to have been elected, would it be just to make the election void, and have recourse to a new election? I do not understand exactly how the noble Lord means to deal with such a case. With the principle of his motion I cordially concur—and I trust he will see that it is in no unfriendly spirit I throw out this remark. It is of the greatest importance that you should not lightly promote petitions at the public expense, relieving candidates from the charge attending the prosecution of their individual right. There is one other consideration with respect to this branch of the subject. You ought not to subject Members honestly and fairly returned to annoyance and vexation, on account of the facility given to the prosecution of petitions. You ought not to subject a Member, who has firmly refused to participate in bribery, and who has obtained his seat through perfectly honest means—you ought not, indeed it would be manifestly unjust, to subject this man to the annoyance and expense of defending his seat. At present you subject the party prosecuting the petition to enter into recognizances. But if you provide that, on a petition against the return of a Member merely signed by a certain number of electors, it shall be proceeded with at the public expense; that no doubt will be very efficient in causing petitions to be presented when corruption has taken place; but take care that you do not subject Members honestly returned to vexations to which an honest man will not submit. Now, you take a certain number of voters—you say six—as the number by whom the petition must be signed. Take the case of a Member who has said he would not owe his election to bribery, and whose friends have done all in their power to prevent it. Yet we all know what a stimulus to the getting up petitions the heats and animosities of elections are. [Lord *J. Russell* would require recognizances from the petitioning party.] I wish it to be understood that I speak for honest men, who are honestly returned; and if you wish Members to be fairly returned to this House, you should not subject honest men to a prosecution which would operate as so great a discouragement against coming forward as candidates as to deprive the House of the services of many who are most useful as Members. I do hope, therefore, that, in facilitating petitions, you will not subject honest men to these discouragements. The other defect which I wish to allude to, is the difficulty, so far as the boroughs are concerned, of obtaining results satisfactory to Parliament and the public. We appoint a committee of inquiry; the committee reports the existence of systematic bribery; the inquiry goes to the Lords, and is not proceeded with during that Session. In the mean time, the feelings which led to the presentation of the petition have died away. The electors meet: they say, why should we proceed with this? Shall we not be charged by posterity with causing the disfranchisement of the borough? and is it not much better to withdraw the evidence from the House of Lords? Again, two or three most important witnesses examined before the committee of this House may be dead, or gone over sea, when the case is proceeded with by the Lords, so that that House may have a different evidence from this. I apprehend therefore, that if the law be left as it is, the Lords will not in such a case be unwilling to concur in positive disfranchisement, except upon evidence heard at their own Bar. I understand the noble Lord means to provide a joint tribunal, consisting of Members of both Houses, before which these inquiries should be entered on; and if the law be framed so that both the Lords and Commons, in a clear case, would be satisfied, the House of Lords, whose legislative power I understand the noble Lord to leave in full force, would consent to the step of disfranchisement, I believe that supposing the House to consent to the measure, it would be better to leave to the Crown the nomination of the tribunal than to give it to Parliament, as it appears more likely that the Crown, acting under the advice of responsible advisers, would make an appropriate selection; especially when it is considered that there may be differences in Parliament from election reasons, and a committee constituted under such influences could hardly produce a good result. Though the course is somewhat novel, there is, I think, something analogous in East-Indian jurisdiction, and on the whole, I think it would be better to leave to the Crown the appointment of a certain number of Members. The noble Lord's proposition I am perfectly satisfied with, and I believe it to be a great improvement on the bill of 1834, which was sent down from the Lords. It is much less cumbrous, and we have seen, Sir, by recent experience, the good effect of leaving nominations in certain cases to rest with the Chair, under the guarantee of the character of the individual who occupies it, instead of referring them to majorities of the House. For these reasons, Sir, I approve of the Noble Lord's bill more than that of the House of Lords. With respect to the observations of an hon. Gentleman opposite, (the Member for Montrose) as to the see-saw decisions of committees, though, by adopting a definite rule, you might avoid these see-saw decisions, I doubt much whether this is a principle by which questions of this kind ought to be decided. To the retrospective provisions of the noble Lord's bill I shall give my cordial support. With respect to Newcastle, for instance, I hope that it will be carried into effect, and that a clause will be contained in the bill, by which, though the Noble Lord's bill may not receive the Royal assent these two months, any person taking money at the approaching elections, whether it be taken in the shape of "market-money" or in any other way, shall be liable to punishment. The law with respect to bribery and treating is certainly in an unsatisfactory state. I hardly know what the law relating to treating is now. It will be a difficult point to define between the mere innocent conviviality between friends and actual corrupt treating, when you come to apply penalties and declare what practices are corrupt. If you make a law making it corruption for a candidate to give a dinner to an elector either before or after the election, this would prevent treating; but would it not, if possible, be still worse to trench so much on the liberty of the subject as to interfere in that way? Bribery, in the way of treating, exists, I think, to a very great extent. In the borough which I have the honour to represent, as I believe in every borough in the kingdom, the electors are in the habit of having a dinner. A number of wealthy individuals sit down, and I do think it hard that if two hundred gentlemen meet for this purpose, it being impossible that all the electors should sit down together, the rest of the constituency should be prevented meeting if they please and dining together. But here again, I fear, it must be admitted that though such dinners do not operate as bribery on the electors, they may do so on the publican. Therefore it will be difficult in boroughs of a limited size and particular description to discriminate between hospitality and corrupt practices. There is another point to which attention should be called,—I mean the payments made for the conveyance of electors to the poll. It is very doubtful, at this moment, what is the law in respect to that point. Some committees of this House will say that it is legal to give reasonable refreshments to the electors, and I believe it has been decided that it is perfectly allowable on the part of a candidate to pay the expenses of the conveyance of electors to the polling places. [*Dissent.*] At least I am under the impression that election committees of this House have determined that a candidate might legally pay for reasonable refreshment for his voters, and for their conveyance to the place of polling. ["Mr. *C. Wynn:* No."] My right hon. Friend may be right. But I never yet passed through a town in which there was a contested election, that I did not see a number of carriages always provided at the expense of the candidates for the conveyance of their voters. And if it be the case that electors will not take a sufficient interest in the exercise of the valuable privilege they possess, to induce them to come to the poll, unless they have the means provided them of doing so, I am very much afraid that any sudden and violent interference with the existing practice in that respect, will very materially diminish the number of voters. To say, therefore, that on no account shall the expenses of conveyance or reasonable refreshment be paid on the part of the candidates, would be, in my opinion, to make the number of electors voting at each election considerably less—thus practically diminishing the amount of the elective franchise. On the other hand, I am sensible that if it were made legal to pay such charges, the permission might be made a cloak to cover a far worse degree of corruption than now prevails, and which carried to excess, would be neither more nor less than the grossest bribery. Now, Sir, I think that the noble Lord is perfectly right in proposing that every species of direct payment, as between the voter and the candidate, should be held as bribery; whether that payment be made under the name of "market money," of "head money," or of treating in general; be the amount 7*s.* 6*d.*, to one class of electors, 10*s.* to another or 1*l.* to another. I am perfectly ready to support that proposition. But after this shall have been done I am afraid that we will leave the law on other points connected with the question, on treating for instance, and on various other classes of expenses, the same as we found it. In every borough there are certain individuals who take a lead in all political matters, and who altogether influence the electors in their respective places. Now, I believe that if these influential persons of both parties in boroughs set their faces against bribery, and came to an understanding to discourage all unnecessary expenses, they would do a great deal more towards the suppression of the evils complained of than all the acts of the legislature. These practices have prevailed so long that I do not expect a great deal could be done towards their suppression at once; and I consider that the extinction of them must be the effect of time and better habits. I do not wish to underrate the advantage of law in this respect. I believe that the noble Lord has struck at the root of bribery in his bill; but, though the committees of this House have shown hitherto an almost total absence of party feeling and a fixed determination to put down bribery, I think at the same time that the exposure of the practices made necessary some preliminary proof. I do not, therefore, underrate the law, but I think that good example and improved habits will more effectually lead to the diminution of bribery—its extinction I scarcely look for—than any legislative enactment whatever, and I do hope that the leading men of the country will set their faces so effectually against it, that after the next general election, come when it may, there shall be little or no cause to complain on the score of bribery.

Mr. *Hume* regretted the law did not take the question out of the hands of committees—and define what it was constituted bribery. This it should do by express words. And it should also define what treating meant. He did not agree in the view of the right hon. Baronet respecting the value of the interference of leading men at elections, since he considered them very generally the most active in promoting the corruption of the constituency. The takers of bribes were not the only persons who ought to suffer a penalty—the givers were equally culpable and deserving of punishment. Ought not the Southampton people, who had collected money for this purpose, to be rendered subject to the penalty for bribery, which was sought to be visited upon the poor man, who had been but too easily tempted to take the money for his vote. What he wanted to get at was the briber in these cases, but it was vain to hope for successfully combating bribery, unless they agreed to enlarge the constituency. [*Cheers.*] Aye, he was even for going further, and giving the people the protection of the ballot, to assist the effects of the enlargement of the constituency. If a person even lent a voter a sum of money at a less rate of interest than legal interest, in order to secure his vote, it ought to be reported to be bribery in both the giver's and receiver's cases.

Mr. *Roebuck* would not attempt to debate the proposition of the noble Lord, though he would throw out a suggestion which he thought might materially check the practice of corruption by means of the person who might be declared duly elected. He should recommend that that person upon appearing at the Table of the House to depose to his having neither bribed his constituents, nor being a party to the bribery, should also put in a statement, and verify it, of the amount of the expenses he had incurred at such election.

Viscount *Sandon* said, that the recommendation of the hon. and learned Gentleman would not go for much in dealing with the question; inasmuch as no account of the expenses of a candidate could indicate the real amount of money expended. It would be impossible to carry on an election in a great town, such as Liverpool, without the expenses of printing, music, and other such necessary excitement. His first election did not cost him a shilling. His other elections did not cost him more than 200*l.* or 300*l.* The question as regarded the conveyance of voters was beset with difficulties. It was scarcely possible to expect that poor electors would come a distance of twenty miles in some cases, to vote at their own expence, besides leaving their daily business. He was, therefore, of opinion, that the House would do better to legalise a certain amount of expenses in respect of maintenance and conveyance than to attempt to abolish them altogether. He was of opinion that 5*s.* tickets to pay for the use of the horse and the dinner of the voter, would be more likely to prevent illegal practices than the most stringent legislation on the subject. There was also much difficulty in regard to boroughs, because it would be almost impossible to prevent the franchise from being affected by extraneous influence. With respect to the particular proposition before the House, he (Lord Sandon) was of opinion that the subject should be treated more as a moral than as a political crime. He should, therefore, prefer that in place of the tribunal suggested, a power should be given to the House, on a *primâ facie* case of bribery being established against a borough to address the Crown to send down a commission of inquiry to the spot, and that the report of that commission should be taken as the basis of any proceedings on the part of the Legislature. If upon the report bribery was found to prevail to that extent in the borough, that there were not 300 electors untainted by it, he should then suggest, as that was the number fixed by the Reform Act as entitling a place to retain the franchise, that the privilege of returning to Parliament should be taken away from it; and if the number, on the contrary, was above 300, then he should suggest that the delinquent electors be disfranchised, and left in the middle of their neighbours as a mark for observation. That would have a better effect, in his opinion, by promoting a good moral feeling, than all the laws that could be passed on the subject.

Leave given to bring in the bill.

CUSTOMS ACTS—THE TARIFF.] The House resolved itself into committee on the Custom's Act. The followings heads of schedule 10 were then read by the chairman.

On the question that

> "On timber or wood, not being deals, battens, boards, staves, handspikes, oars, lathwood, ufers, or other timber or wood, sawed, split, or otherwise dressed, except hewed, and not being timber or wood otherwise charged with duty the load of fifty cubic feet, the duty be 1*l.* 10*s.*"

Mr. *Roebuck* rose, to bring forward his motion for equalising the duties on foreign and colonial timber. The hon. and learned Member contended that the effect of the discriminating duty was to compel this country to pay a higher price for the inferior timber of North America than the superior timber of the north of Europe might be obtained for, were no such differential duty in existence. The loss sustained by this country on the article timber by the operation of the present law was not less than 2,000,000*l.* a-year, and this without any advantage to the revenue of this country, or to the Canadas, which it was designed to protect. By the adoption of a uniform duty of 20*s.*, the revenue would be benefitted to a large amount. It was generally supposed, that the Canadas derived a great advantage from this trade in timber, and that it enabled the colonists to clear their estates, and so aided in the cultivation and improvement of the colony; but it was not so, for the timber exported from Canada to this country came not from the inhabited parts of the colony, but from the interior and distant wilds, and the trade in it was carried on by a class of persons, few in numbers, and who formed a race almost as distinct from the rest of the population as did the gipsies from the people of England; or perhaps, more like the navigators here. The timber hewn by these persons was floated down the rivers to the places of export, and it frequently happened that the greater part of it would be lost; in fact, it was mere lottery whether it arrived or not. The only parties who were at all benefitted by this trade were the merchants and importers. Much stress had been laid upon the importance of the carrying trade of timber between the Canadas and this country, as fostering the navy of Great Britain; and it had been said, that as many as 40,000 seamen were engaged in the trade. That calculation, however, had been made upon the whole number of ships employed in the trade, supposing that they made but one voyage in the year; but those ships frequently made three voyages in the year. The average number of voyages was at least two in the year; the number of seamen, therefore, would be under 20,000 instead of 40,000. In the event of the cessation of the Canadian timber trade two-thirds of the vessels now engaged in that traffic would go into the Baltic trade, and he had no doubt that the alterations now in progress in the tariff would find employment for the remaining two-thirds; so that the loss to the shipping interest was utterly unworthy of consideration. The surest way to promote the naval efficiency of this country was to make it a thriving mercantile community. It must also be borne in mind that the capital employed in the Canadian timber trade was all floating capital, with the exception, perhaps, of that invested in saw mills, which alone came under the denomination of fixed capital. Under these circumstances he begged leave to move,

"That the duties on colonial and foreign timber be rendered equal, and that the duty on both be 20*s.* per load."

Sir *H. Douglas* said: Passing over the minor points, if there be any minor points, in the very clever speech of the hon. and learned Member for Bath, I proceed at once to the national points of the question, and which is nothing less than to attack the very principle of the colonial system, and reply in terms of manufactures consumed, shipping employed, emigration encouraged, commercial and maritime power, and all the other fruits of the colonial system. I shall apply myself first to the British North American trade, and then request the attention of the House to a few brief statements on the value and importance the increase and the certainty, of the colonial trade, compared with the foreign trade, and which contrast cannot but be useful when we see attempts made to depress, if not ruin, the former. In 1821 the British North American provinces, with a limited population, took of British manufactures and productions 1,141,000*l.*; in 1831, 2,089,000*l.*; in 1840, 2,847,000*l.*; and in 1841, about 3,000,000*l.* The population of British North America is about 1,300,000; they consume, consequently, per head, about 46*s.* The shipping employed in the British North American trade amounts to 2,461 ships, 841,348 tons, manned by 32,950 men; of this, about 600,000 tons are employed in the timber trade. The outward tonnage, in ballast chiefly, makes freight so cheap as to afford great facilities for emigration; but emigration depends upon the demand for labour in the provinces. That demand depends greatly upon the timber trade, and upon the impulse to agriculture and other industry, which the timber trade occasions. The well-being of the emigrants themselves requires that they be absorbed into the mass of employed labour; and, if any distress prevail, such as must attend that ruin to the timber trade which the equalization of the timber duties would occasion, there would not be immigration into the colonies from hence, but emigration from the colonies to the United States. The hon. and learned Member has stated that the timber trade is prejudicial to agriculture—that it is a curse to the country. In reply to this, I would first beg the attention of the House to the following extract of a letter from Mr. Buchanan, agent for emigrants in Canada, dated the 31st December, 1841, and which hon. Members will find in the printed papers lately laid before this House:—

> "Unless there is great demand for labour, by extensive public works, or by ready markets for lumber, there is great distress."

He then states the favourable and prosperous condition of those who settle in the Ottawa country, than which no portion of the province offers greater facilities or encouragement to the industrious emigrant:—

> "This being the great lumbering dépôt of the country, the farmer is certain to find a ready sale and a good market at his door for all his surplus produce. To the poor but industrious labourer it presents a sure and certain field for employment at all seasons—a most important consideration, of which thousands of settlers throughout that section of the country are proofs."

I shall next read a few extracts from a memorial of the lumberers and agriculturists residing in the central section of Canada:—

> "That your memorialists viewing this as practical men, beg leave humbly to represent the results which would inevitably follow such a measure, viz.:—
>
> "The present prosperous state of agriculture would receive an immediate check; for the only purchases of farm produce in these distant parts are the lumberers.
>
> "Emigration, which is now so much required, would receive an immediate check; for the lumberers, as it is well known, both on the rivers St. Lawrence and Ottawa, have been the pioneers of the agriculturists, and the ships which carry home the timber form, as it were, a bridge for the surplus and destitute population of England migrating to her colonies, and forming an arm of strength in her transatlantic dominions."

The addresses and petitions lately made and presented from all parts of British North America state that the wood trade, the staple of the country, encourages settlement and cultivation, by affording to the agriculturist a ready and convenient market for the produce of his labour. I shall now only read an extract of a letter from a well-known and experienced person, Mr. Charles Shirreff, whose evidence upon the subject is quite conclusive:—

> "Upon the strength of this trade being protected and continued as a market for produce, settlements have extended 250 miles up the Ottawa on its banks, and for a considerable distance into the districts.
>
> "But extensive and important as that section of the country is, it is still in its infancy, and not yet within reach of any general market, so that if deprived of this prop, it must sink, and its prospects of future prosperity must vanish, for without the immediate market produced by the timber trade, it would be no longer a field so inviting for emigrants."

The hon. Member opposite proposes to equalize the duty on foreign and colonial timber—that is, to release the British consumer of the colonial production, from buying from him, and, in short, allowing the British consumer to buy cheap, wherever he can find the article cheapest, without regard to the country of origin, growth, or production. The hon. Member applies this, by the present and his late motion, to timber and sugar. Other hon. Members apply this maxim of free-trade to other articles; and the free traders in general assert it with respect to all. Now, if, as a concession to price, the British consumer of colonial productions be released from the necessity of dealing with the colonial producer, then the colonists must be released from the reciprocal obligation of buying British manufactures and productions; but this is the essential principle of the colonial system. Adam Smith, who has been badly read upon this subject, states that:

> "In compensation for the restrictions laid by the British Parliament on the colonial trade it gives, in return, preference and protection to colonial production in the home market, by imposing higher duties upon analogous productions from foreign countries."

We cannot withdraw any part of that protection, without depriving the colonies of the compensation which is, in fact, the essential principle of the colonial system, and subvert and destroy the colonial empire. Adam Smith says, that the colonial trade opens fresh markets for manufactured productions. Abounding in the rude produce of land, and having few hands to spare for the necessary, and none for the ornamental manufactures, the colonies find it cheaper to purchase, than to make them. Encouraging the manufactures of Great Britain by these demands, the colonial trade encourages indirectly the agriculture of Great Britain likewise, since the manufacturers to whom that trade gives employment, constitute new markets for the productions of the land; and those are the most advantageous of all markets in which the home demand for corn, and cattle, bread, and butchers' meat, are thus greatly extended by means of the colonial trade. The East Indies took, of British manufactures and productions, in 1821, 4,151,000*l.* In 1831, it fell to 3,377,000*l.* This was the result of throwing open the China trade, which, in 1836, was 1,326,000*l.*, and in 1840, only 525,000*l.*; but our exports to India rose, in 1840, to 6,023,000*l.* The British shipping now employed in the East India trade, is 288 ships, 137,883 tons, 7,583 men. And why this increase in our exports? Why, because we take more of their productions. In 1834, we took 50,522 bales of their cottons; in 1841, we took 150,000; in 1836, in consequence of the equalization of the duties, we took 171,758 cwt. of their sugar; in 1841, 1,223,079 cwt. Rice and paddy, too, have greatly increased. In 1821, the West Indies took 4,320,000*l.* of British manufactures and productions. In 1831, it fell off to 2,581,000*l.*—this was the consequence of the emancipation. I speak of that measure with all respect, but we certainly have indulged our humanity at the cost of the West India interests, and, for this reason, we are bound to protect those interests, until we carry out to success the great experiment of not only emancipating the negro, but also of civilizing him, and making free negro labour productive. The shipping employed in the West India trade is 697 ships, 181,731 tons, 9,880 men. Australia took of British goods, in 1821, 126,114*l.*; in 1831, 2,581,949*l.*; and in 1840, 3,574,970*l.* The total value of British manufactures and productions exported to all the colonies, in 1831, was 9,773,412*l.*; in 1840, it rose to 17,499,824*l.* employing 6,742 ships, 1,443,000 tons, 72,000 men. Now, proceeding to the foreign trade. The United States took of British manufactures and productions, in 1831, 9,053,583*l.*; in 1836, 12,425,605*l.*; in 1840, our exports fell off to 5,283,020*l.* The population of the United States is 17,000,000, they consumed, in 1836, 14*s.* 6*d.* per head of British goods, and in 1840, about 6*s.* per head. Taking the United States official tables, it appears, that their imports from the United Kingdom and exports to the United Kingdom were in—

	Imports from the United Kingdom. Dollars.	Exports to the United Kingdom. Dollars.
1837	44,886,000	54,583,000
1838	44,867,000	52,179,000
1839	65,964,000	47,069,000
1840	33,737,000	59,317,000

Of which 54,000,000 was domestic produce. The shipping employed in the trade between the United Kingdom and the United States, in 1840, was, of British ships, 360, 180,000 tons, 7,329 men; whilst of United States ships, there were 839 ships, 409,000 tons, 14,791 men! Contrast this with the British North American trade, 2,461 British ships, three-fourths of which the hon. and learned Member's motion would throw out of employment. Thus, there is a great decrease of commercial intercourse, so far as this depends upon them with the United States. Let us see whether this diminution in our exports to that country is likely further to diminish or otherwise. I ventured to state to the House, some time ago, my conviction that whatever we might have done, or may yet do, the United States would not relax, far less abolish, their protective system. I showed by extracts from the speeches of all the Presidents, from Washington to Van Buren, that the protective system would be steadily adhered to. I beg now to call the attention of the House to the recommendation of the present President upon this subject:—

> "The diminution in the revenue, arising from the great diminution of duties, under what is called the Compromise Act, necessarily involves the Treasury in embarrassments, which have been for some years palliated by the temporary expedient of issuing Treasury notes—an expedient which, affording no permanent relief, has imposed upon Congress, from time to time, the necessity of replacing the old by a new issue.
>
> "The contemplated revision of the tariff duties may, and doubtless will lead, in the end, to a relief of the Treasury from these constantly recurring embarrassments."

In compliance with this recommendation, certain resolutions were moved by Mr. Clay, of which I shall only mention the 3rd and 4th:—

"3rd, Resolved, therefore, that the rates of duties on foreign imports ought to be augmented beyond the rate of 20 per cent, so as to produce a net revenue of 26,000,000 dollars, 22,000,000 dollars, for the ordinary expenses of Government, 2,000,000 dollars for the payment of the existing debt, and 2,000,000 dollars as a reserved fund for contingencies.

"4th, Resolved, that in the adjustment of a tariff, to raise an amount of 60,000,000 dollars of revenue, the principles of the Compromise Act generally should be adhered to, and that especially a *maximum* rate of *ad valorem* duties should be established, from which there ought to be as little departure as possible."

These having been adopted, a tariff bill has been reported, increasing enormously the duties upon all importations, and which will certainly act very restrictively, if not prohibitively, on those of the United Kingdom. I wish the House would permit me to read an extract from Mr. Clay's speech in moving these resolutions, it will show how little we have to rely on the assertions that have been made, and expectations entertained here, as to the Americans abandoning their protective system:—

"I contend, with entire confidence, that it is perfectly consistent with the provisions of the Compromise Act to impose duties to any amount whatever, 30, 40, or more per cent on imports, subject only to the condition of an economical administration of the Government. We have tried free-trade—we have listened to its advocates—that it would remedy the sad picture of fields abandoned, houses dilapidated, overseers turning masters, and masters overseers, general stagnations, and approaching ruins. Those gentlemen cried out to us, abolish your tariff of duties on importations, reduce your revenue to the standard of an economical Government, and all those evils will disappear; you will have augmented prices for your staples, contentment and happiness will be restored to a distressed people. Well, we did reduce the tariff. After nine years of protection, we have had nine years of descending tariff and free-trade. I am not going into abstractions and metaphysics, but two leading facts have been established—namely, that a high tariff did not put down the prices of staple commodities, and a low tariff and free-trade have not been able to save them from depression.

"These are facts that casuists and the advocates of a one-sided paralytical free-trade cannot controvert, say what they like in favour of free-trade, by which we turn our sound side to the world, and our blighted and paralytic side towards our own people."

Now, this is just what free-trade would do here. It would blight our home market, destroy our colonial markets, and play into the hands of rivals who abjure the theory, and abandon its practice. The following is an extract of the reply of Mr. Clay to an address presented to him, conveying the strongest expression of their thanks for his advocacy of the American system and for having proposed the resolutions:—

"Those nations which make the nearest approach to free-trade are in the least prosperous state. During the last nine years, about half of our importations have been duty free; and the other half, a descending scale has been progressive. If there were any truth in free-trade, our country ought at this time to be in the enjoyment of vast prosperity! But directly the reverse is our melancholy condition. Never were the productions of agriculture selling at more discouraging prices; and our great southern staple, cotton, which was to have been so highly benefitted by a reduction of duties, is now selling at ruinous prices. We shall not rise from our present embarrassed position until we produce, within our own country, more of the supplies necessary to consumption, and depend less on foreign countries, by a tariff properly adjusted to stimulate production at home, and to diminish importations from abroad."

Now, with respect to France. In 1839, France took from the United Kingdom, of raw materials necessary for her arts and manufactures, 2,168,513*l.*; of articles in a manufactured state 1,565,757; of British manufactures for consumption, only 570,357; whilst we, in that year, took from France raw produce of the value of 2,173,147*l.*, and of her manufactures we took 2,002,847*l.*, and we actually remitted in specie 3,055,838*l.* sterling! Then the trade in linen yarns and linen manufactures, of which we exported, in 1840, to the amount of 13,137,367lbs. weight, of the value of 629,533*l*, sterling, or more than one-fourth of our exports to France. Let me appeal to a late measure of the French government, increasing vastly the duties on this, to show what prospects there are of our trade with France becoming more valuable. Examining the commercial intercourse between France and the United States, it appears that France inclines most to increase her commercial intercourse with that country. The trade with the United States is more valuable to France than ours is, upon the footing which she, not we, have placed it, and that of France is very valuable to the United States—and both unquestionably are actuated by commercial rivalry and maritime ambition with respect to this country. We see on the one hand an enormous increase of their tariff, which will most seriously affect this country, and on the other part a late increase of the prohibitory system, which will most seriously affect us likewise.

Then, in the midst of these evidences, we ought to note the very portentous vote of the Chamber of Deputies forcing upon the Government, and the Government adopting it, a vote for keeping ready in the roads eight sail of the line more than the Government demanded. Now, the value of British manufactures and productions exported to all the world, in 1831, was 37,164,372*l.*; in 1840 it was 51,406,430*l.*; of which there was exported to the colonies, in 1831, 9,773,412*l.*; and in 1840, 17,499,824*l.*; the increase in the colonial trade being 7,726,412*l.* The total of British shipping employed in trade with all the world was, in 1841, 17,883 ships, 3,197,501 tons, 172,100 men, of which more than one-third was employed in the colonial trade. Now, it appears from these statements that the economic maxim of free-trade—that for every increase in our reception of the production of other countries there is a co-extensive and contemporaneous demand for British manufactures—is true with respect to the colonial trade in this respect, and likewise in the employment of British shipping; but it is not true with respect to France and the United States, and other countries, and then the colonial trade is increasing in a much higher ratio than the foreign trade. Now, what our manufacturers want and what all our interests require is not increased production, but increased consumption. This we can command in the colonies—it is steadily increasing; and, if we will but cultivate the boundless spaces which we possess there, and the abundant elements of every kind which we require, there we shall find our best certainty, profit, and power; but if we neglect those sources, withdraw protection from their productions, disregard and depress the colonial trade, frame all our measures and regulations with a view to seek to extend foreign trade at the sacrifice of the colonial trade, and in the vain hope of stopping other nations in the prosecution of the protective system, we shall exchange substance for shadow. The hon. Members opposite congratulate themselves that we, on this side of the House, have gone over to the adoption of the theory of free-trade. I, for one, have made no such surrender. I maintain firmly the protective principle applied to all national interests severally, giving to each a just and reasonable degree of protection, which may produce the greatest possible advantage to all interests. The protective principle is affirmed in this tariff, and we are now discussing its details. The hon. Members opposite receive it with great satisfaction. They, therefore, rather come over to a modification of the protective principle, than that we surrender to the doctrines of free-trade. My conviction is that the colonial system is in danger, from the progress which that specious, but fraudulent, philosophy is making here, whilst other nations abjure it. I speak with great respect, personally, of its very able and learned disciples opposite. Not intentionally, nor advisedly, but effectually, nevertheless, is that theory used to subvert, in fact, the colonial empire. Perhaps the House would permit me to advert to the opinion of a few eminent statesmen of the vastness, the power, the supremacy, the invincibility of this great empire. A celebrated French statesman and savan (M. Charles Dupin) who came to this country to examine practically into the means and system by means of which this empire was raised, and how far, by such means, the commerce and manufactures, and navigation and maritime power of France might be restored (and she has made vast progress towards this), writes—

> "Thus, from a common centre, by the vigour of her institutions, and the advanced state of her civil and military arts, an island, by itself a spot in the Archipelago of Ocean, and which may scarcely be reckoned a state of the third order, causes the force of its industry, and the weight of its power, to be felt in the remotest extremities of the four quarters of the globe; rules, peoples, and civilizes about one-fifth of the universe, with races who receive her laws, speak her tongue, adopt her manners and customs, deal exclusively with her subjects on her own terms, and prosper by her enlightenment and arts. It is because the external provinces of her empire are separated from her by immense distances, that she is not vulnerable through any or either. It is because they are distant from each other, that they cannot be reduced under the yoke of a single adversary. To attack them is difficult—to blockade them impossible. The supply of so many home markets ensures encouragement to the metropolitan, and conveys the productions of her industry to possessions on the shores of every sea; enables her to employ, in peace, in voyages which she reserves to herself, a vast number of vessels; and to train prodigious numbers of seamen, which, in war, enable her

naval force to fly, at the first signal of alarm, to carry succour, and reinforcement to any menaced point, by which they become impregnable by force, and irreducible by famine."

Hear what Mr. Cambrelang, an eminent statesman of the United States, says:—

"Through all the past changes of her regulations of trade, Great Britain has never permitted any conflicting interest to interfere with the steady growth of her commercial marine; she has been consistent in omitting no occasion to check the progress of her rivals for naval power. Change her ministers as she may, this has been her permanent policy."

Listen to Huskisson:—

"It is the first and paramount law of every state to provide for its own safety and defence; we will never listen to a theory which, by withdrawing protection from the colonial trade, would render insecure those possessions on which essentially depends the power of Great Britain to retain that high station in the rank of nations which she owes to her commercial and colonial ascendancy; and, least of all, shall we listen to the representations of states which evince boundless jealousy of our navigation in peace, and of our maritime ascendancy in case of war; and who tell us distinctly that they are steadily looking to the ulterior object of one day disputing with us the dominion of the seas."

Thus spoke Huskisson, the advocate of reciprocity, but the wise and steady protector of the colonial system, But that empire is in danger from the progress which, I repeat, this specious but fraudulent philosophy is making, and, if carried out, it must blight our own prospects. If it could be shown that it were true, and that other nations would reciprocate with us on its principles, why let us play the whole game. Let us go all the length of the theory. Let us convert our hardy tars into effeminate spinners—our fabricators of "Britain's best bulwarks" into the builders of spinning jennies! Let us convert large masses of our robust agriculturists into increased numbers of manufacturers — throw land out of cultivation! Let us discard our colonies—resolve them into foreign states—and, on the principles of free-trade, being divested of those "burdens," make ourselves dependent on foreign powers for the materials of our industry, the means of subsistence, and the elements of our power! But I, for one, will be no party to this; I will attack such folly wherever I find it; and if this House should ever become the instrument of such a visionary and dangerous course, we shall ruin, here from within, an empire that has withstood a world in arms, and may be maintained in its supremacy by observing the principles that made it great. But if we do otherwise, if we abandon those principles, Samson-like shall we pull down on our own heads a mighty ruin, and tumulate to ourselves a terrible monument of our folly.

"Living, shall we forfeit fair renown,
And doubly dying shall go down
To the vile dust, from whence we sprung,
Unwept, unhonoured and unsung."

Mr. *P. M. Stewart* did not feel quite certain that he should be perfectly in order were he now to make the proposition of which he had given notice. It was in these words,

"That the duty on colonial timber be reduced to 5*s.* per load, and the duty on foreign timber to 35*s.*, and that the measurement of deals for the purpose of charging duty be taken in conformity with the recommendation of the committee of 1835."

In justice to the spirit which appeared to actuate her Majesty's Government, he was bound to say that many Members on that side of the House hailed the tariff as bringing with it much good at present, and likely to produce more hereafter, and he therefore wished to thank the Government for it, though he took upon himself to say that some portion of the merit of that measure was due to those in that House upon whose suggestions it had, in some degree, been founded. Without stopping to discuss the question as to who was really entitled to the copyright of the tariff, he felt bound at least to thank the Government for the present edition. Bearing his testimony, then, to the general merits of the measure, he still should say that the timber duties formed its weakest portion. In the tariff there were sins of commission as well as those of omission, but the timber duties formed its cardinal and crying fault. Influenced by that conviction, he gave notice of the motion which he was now about to submit, and he felt strongly persuaded that the duties which he proposed were those which, under the circumstances, the House ought to adopt. He begged to say, that he was one of those who now and at all times maintained the great value of our colonies to the mother country.

Viscount *Sandon* rose to order. He wished to know which of the two propositions they were discussing,—the motion of the hon. Member for Renfrewshire or that of the hon. and learned Member for Bath?

[It was after some conversation settled that the question should be put on Mr. Roebuck's amendment, but that Mr. Stewart should state his views.]

Mr. *P. M. Stewart* when interrupted had been about to say that he considered the colonies inestimable. We had our colonies extending over half the globe, and in those colonies we could command a market, even though all other markets failed us. In addition to the authorities quoted by the hon. and gallant Gentleman who had just sat down, in respect to the value of colonies, he might repeat the often repeated saying of Napoleon Bonaparte, and the speech of the right hon. Gentleman himself, who seemed to feel the force of the opinions of the great men who had preceded him upon that subject. The right hon. Baronet in introducing the measure had declared, that although he expected to derive an additional revenue of 600,000*l.* a year from this measure, nevertheless, it would be productive of most substantial benefits to the manufactures and commerce of the country, and that without detriment to the colonies. He believed, however, that the differential duties upon timber which the committee were now debating had been fixed upon in error by the right hon. Baronet, through a miscalculation which had been made in taking an average by throwing woods of various kinds, which ought not to have been included, into one heterogeneous combination, which led to a false average being taken, namely, 41*s.* as the average duty upon foreign timber, instead of 46*s.* 11*d.* It was admitted by all that the present duties on timber required alteration. With regard to Baltic firs, and the deals of Norway and Sweden, the prohibition was too absolute, and the trade was hampered by it. But in taking off the screw from the Baltic department, they did not draw it away from, but fixed it on, the colonial department, and therefore they crippled the colonial trade. The last committee which sat upon this subject was that of which the late Lord Sydenham was an important member, and that committee resolved upon the evidence before it that there should not be a greater reduction in the differential duties than 7*s.* 6*d.* or 8*s.*; and Lord Sydenham, in letters which he sent home from Canada, advised that if Government made any alterations in the timber duties they should act upon the recommendations of that committee; and what he complained of was, that those recommendations were not regarded. The advantages to be derived by the consumer from the present duties would be felt, it had been argued, in the respective articles of houses, ships, and fishing-boats. Now, he had taken the trouble to get a calculation of the benefit to be derived from the proposed reduction in regard to the building of houses; and he proved that in the building of a house which cost 150*l.*, and which consumed seven loads of colonial timber, the saving would be only 3*l.* 10*s.* In a house costing 250*l.* there would be a saving of 5*l.* In a house costing 500*l.*, a saving of 11*l.* In a house costing 1,000*l.*, half the timber consumed being foreign and half colonial, a saving of 40*l.* might be effected. In a house costing 2,000*l.*, in which eighty-eight loads of timber, two-thirds foreign and one-third colonial, were used, there would be a saving of 93*l.* What he meant to propose was, that the duty on colonial timber should be 5*s.*, and on foreign 35*s.*, so that, taking the present proportion of the trade as three-fifths colonial and two-fifths foreign, he thought that his proposition would come to about the same result as that of the hon. and learned Member for Bath. It had been argued by some that the Government ought to derive no revenue from wood; but Mr. Deacon Hume said, that he knew no article better calculated to yield revenue than wood. He observed, that it was an article more extensively used throughout the country than any other, and moreover it was one wholly out of the range of the smuggler. Mr. Deacon Hume maintained that it was possible to raise 1,000,000*l.* from wood without affecting in the slightest degree the consumer. He objected to the loss of revenue which would be produced, whilst at the same time there would arise no compensating benefit. The hon. Member concluded by moving that the duty be 35*s.*

Mr. *Greene* read the motion formally from the Chair.

Mr. *Gladstone* said, that it should be borne in mind that the committee was now advanced considerably in the consideration of the tariff. It would be well to remind the House with respect to the question which had been raised as to a better measurement of timber, that it was one the discussion of which must be suspended, as it was not legitimately embraced within the motion then under the consideration of the committee. He would come to the proposition actually made to the committee. There was first the motion of the hon. and learned Member for Bath, and there was also an im ortant motion by the hon. Member for Liverpool (Sir H. Douglas) which, however, the forms of the House would not allow him to bring before the House at that time. He would first direct their attention to the motion of the hon. and learned Member for Bath. The hon. and learned Member had entered at some length into a general discussion of the expediency of creating a colonial interest in timber by means of differential duties. The hon. and learned Member has computed the loss which the people of this country sustained by the article of Canadian timber. The hon. and learned Member referred particularly to the lumber trade, and he asserted that there was a loss of 25*s.* a load on that article. The hon. and learned Member argued, that the lumber trade was of no benefit to any but the merchants, whilst it operated injuriously to Canadian interests. The hon. and learned Member maintained, that the government was creating a trade which could only be fostered by law, whilst it would be in direct opposition to the regular rules and principles of commerce. If the propositions of the hon. and learned Member were true, then they formed a conclusive argument against the adoption of his motion at the present moment. With respect to the argument of forcing trade, if it were unnatural, if it counteracted the force of nature, it was a conclusive argument why we ought to resort, using the words of the hon. and learned Member for Bath, to a "natural system." He meant no disrespect to the hon. and learned Member when he asserted that the House could not consistently entertain his proposition. They were not then at the commencement of the tariff, but in the midst of it. Several schedules had already received the sanction of the House. Up to that time the House had been enforcing protective duties. Even as late as last Friday evening, when the motion of the right hon. Gentleman opposite was brought under the notice of the House, the principle of protection had been maintained. The hon. and learned Member for Bath, by asking the House to assent to his motion, wished the committee to undo all it had hitherto done. On that ground he hoped that the committee would refuse its sanction to the motion of the hon. and learned Member. The hon. and learned Member for Bath was out of time now in refusing all protection to the colonial exports; if the House were to do so now, surely they must retrace their steps and throw open the colonial markets to a complete free foreign trade. Within a week they had imposed differential duties varying from 4 to 20 per cent. in favour of the trade of this country—they had imposed those duties upon the colonial markets; surely then they would not be so unjust as to take another course with respect to timber, which constituted three-fourths of the exports from our American colonies. He now came to the proposition of his hon. Friend opposite. His hon. Friend (Mr. P. Stewart) said, the measures proposed by her Majesty's Ministers would tend to the ruin of the colony, while the home consumer would receive, if any, a very trifling benefit, and that he viewed them with great alarm and distress. When he heard his hon. Friend complaining in such a manner, he was reminded of what had fallen from the same hon. Gentleman a few nights ago. His hon. Friend said, that he being a sincere free trader, and being also a colonial proprietor, he found it rather nice steering, and very nice steering it was on that occasion. His hon. Friend inquired what great interest would be benefitted by the cheapening of wood—he challenged any one to point out any interest in the country which would be materially benefitted, and yet at the same time be admitted, that upon the building of a house which would cost 1,000*l.*, the saving would be 40*l.*, and on one costing 2,000*l.* it would amount to 93*l.*; be it remembered that saving was to be made upon the wood alone; and yet his hon. Friend called it a paltry reduction. Why, in return, he would ask, what interest in the country was not deeply interested in having good and cheap wood? The present duties besides laying a heavy tax upon industry of every kind, had another result—that of forcing the trade into channels contrary to nature. All of that would be obviated, and that was as much a matter to be desired as the lowering of prices. Then with respect to the motion of his hon. and gallant Friend the Member for Liverpool, undoubtedly considerable loss would be occasioned by the proposition of the Government, but when any sacrifice of revenue was to be made, surely it was most desirable that it should go to the removal of duties which pressed upon the raw materials of industry. The shipping engaged in the American trade amounted to nearly one-fourth of the tonnage of the whole country, and therefore that was an ingredient in the question which rendered it one of much importance. On the subject opened by his hon. Friend, that the Government had not abided by the reports of the former committees on wood duties, he would merely say that those committees, especially that of 1835, contemplated a change in the timber duties as an isolated measure—it was not to be connected with many reductions and numerous changes—that was why a greater reduction on colonial wood was now justified. Another reason was, that when the right hon. Baronet (Sir R. Peel) removed the duties from colonial wood, he set that trade free from many restrictions, all of which were expensive. For instance, under the present duties much wood is bonded, and that adds considerably to the cost, but on that measure coming into operation, the duty being nominal, that practice would be done away with, and that source of expense dried up. That would prove a great relief to the colonial trade. Now let him contrast the conduct of the British wood-grower with that of the colonial, or rather, he should have said, with the conduct of some who were connected with the colonies. The former made no complaint while the latter did nothing else. What was the actual amount of reduction they were going to make? On deals, for instance, taking it in money, it was but small, but with reference to the best interests of the consumer it was large and wholesome. There was not always a perfect correspondence in figures and calculations on this subject, but he would take a calculation with which he had been furnished by an eminent merchant engaged in the colonial timber trade, and who was opposed to the Government proposition. It appeared that the average duty upon foreign deals had been 43*s*. 9*d*., and upon colonial deals 7*s*., leaving a difference of 36*s*. 9*d*. against foreign deals. His right hon. Friend proposed, that for a single year the duty on foreign deals should be 38*s*., and that subsequently it should be 32*s*. On the average, with respect to deals, the ultimate amount of protection to colonial produce would be 31*s*. 6*d*., while at present it was 36*s*. 9*d*. This was the amount of reduction proposed to be effected, and he did not think it could be reasonably objected to. The reduction of protection on various kinds of deals might be considerable, but so anomalous a rate of duties as prevailed at present—which was most disadvantageous to the consumer—could not be continued when Parliament was engaged in revising the commercial system. The reduction with regard to timber was considerable. The present duty on colonial timber averaged 11*s*., on Baltic timber it was 56*s*. 6*d*., so that the protection to colonial timber was 45*s*. 6*d*. As to the timber trade, one portion of the British market, connected with the mines, was entirely free, and colonial timber, with regard to this branch, enjoyed no protection. It was felt that it would be impossible to expect that Parliament would sanction the permanent continuance of this system. It was, therefore, proposed that those parties who required timber for mines in Cornwall should purchase it in the same manner as other persons. It was true that those parties were thus deprived of a valuable privilege, but he conceived they would be compensated by the advantage which would be afforded them by the reduction of the price of the commodity. The amount of duty on timber, in consequence of drawbacks obtained on that required for mines, had been, in fact, 37*s*. instead of 45*s*. 6*d*. It was proposed to reduce the duty at once to 30*s*. 6*d*., and ultimately to 25*s*. 3*d*.; and this was the amount of protection which it was proposed to extend to colonial timber. The colonial importers ought, he conceived, to be satisfied with this amount of protection, especially when it was considered that they might be fairly called upon to bear their share in any burdens consequent on endeavours to facilitate the revival of trade. It was contended by some persons who argued in favour of the maintenance of a high rate of protective duty, that, under the present rate of duty, equal and fair competition had existed, and they maintained that this was an increasing trade. If that were the case, he presumed the colonial and foreign branches of the trade would have increased in the same ratio. What, then, had been the relative increase in the colonial and Baltic trades with respect to the principal articles of trade in wood? In 1821 this country imported from the Baltic 98,000 loads of wood; in 1841 the quantity was 114,000 loads. In 1821 the quantity of colonial timber imported was 317,000 loads; in 1841 the quantity imported was 632,000 loads, showing a difference of nearly 100 per cent. in favour of colonial timber. Then with regard to battens and batten ends, from 1821 to 1841 the importations of foreign goods into this country had increased 144 per cent., in consequence of the advancing demand; but from the colonies the importation had increased 479 per cent. In 1821 the quantity of foreign deals and deal-ends imported was 27,000 great hundreds, while in 1841 the quantity was the same. The importation from the colonies, however, was in 1821 8,000 great hundreds, while in 1841 it was 46,000 great hundreds. With respect to staves, there had been an increase on the importations from the colonies during the last twenty years of 71 per cent., while there had been a decrease on the importations from the Baltic of 16 per cent. He did not think any reasonable argument had been adduced to show that the proposed alteration of the duties would operate detrimentally to the colonial interest; and there could not be a doubt that it would prove most beneficial to the consumer in this country. It was unquestionable that the change might be productive of temporary inconvenience, and that a momentary shock might be given to the trade. Not only was a reduction of the duty proposed, but his right hon. Friend proposed to afford facilities for the introduction of all kinds of wood, instead of excluding certain descriptions; and it was impossible to substitute a system of equality for one of inequality, with regard to an article of this nature, without causing serious inconvenience. He understood that a motion was to be made for a return of the number of ships which had sailed from Great Britain for Quebec in the course of the last spring as compared with the number which had sailed in the course of the present spring. He had no doubt the return would show a considerable decrease; but he thought it would not be fair to ground any argument on that decrease. The parties who had come before Government to protest against the change in the duty on wood had complained that under the operation of the present system at this time—even with the protection they enjoyed—they scarcely cleared the cost of freight. It appeared from a resolution adopted at a meeting at Liverpool in April, that North American timber was sold at an extremely low price. It appeared by Challoner's *Liverpool Circular* for 1841, that American timber sold here at 1*s.* per load under the first cost, taking freight and duty. Deals were also in the same predicament; the calculation in 1841 being, that the cost on import was 18*d.* the foot, whilst they sold here at 15*d.*, being a loss of 20 per cent. These facts showed, that notwithstanding the disadvantages thrown in the way of the Baltic trade, and the unnatural stimulus given to the colonial, still the latter did not pay. It was obvious, then, that those engaged in the timber trade should have a common interest, and make some sacrifice for the general revival of trade. It should be also remembered, that the increased stimulus which would be given to trade by the reduction of other duties would compensate for any supposed loss which the proposed alteration might be calulated to occasion.

Sir C. *Napier* admitted, that the Canadian timber was not as good as that of Riga, but the inferiority was not as great as the hon. Member for Bath would have it appear. Every power in the Baltic could build, man, and work their ships cheaper than we, and he hoped the House would never consent to any proposition which would have the effect of weakening our navy.

Mr. *Hume* said, if timber, corn, and other articles were freed from duty we could build and man our ships cheaper than any other nation. The question now before the House was that of the hon. Member for Bath, to do away altogether with differential duties, and he had heard no argument urged against it. His hon. and learned Friend, the Member for Bath had said, that by the repeal of the differential duties England would get timber both better and cheaper, and he had proved that the colonists would lose nothing. His hon. Friend's argument on this head had not been met at all. The change would have the effect of converting a number of persons at present employed in cutting timber, who were a very lawless and unruly race, into agriculturists, which would unquestionably be a gain to the colony. The only question, therefore, was, as to the carrying trade, in which, though there might be some small loss of profit, yet that ought not to be put in competition with the general good. His hon. and learned Friend had also proved, that the revenue would be benefitted by the change he proposed. The proposition then would be of great benefit to the colonists and the consumers here, and why should it not be adopted? At any rate, it was a matter of importance to decide whether they should have differential duties or not in this case. That point had hardly been adverted to in the debate.

Mr. *Baring* said, that on a former occasion he had expressed to the House his opinion, that it was not advisable to bring into operation any new differential duties, or to increase those already in existence; but, although he was opposed to differential duties in theory, he had never been of opinion that it was expedient to get rid at once of the existing differential duties without reference to the great interests which the course of legislation, whether right or wrong, had raised up. The hon. Gentleman here proposed 30*s.* a load duty, while the Government proposed 25*s.* 3*d.*, which was lower than the duty which he had proposed last year. He had in fact himself proposed 30*s.*, and the reason was this;—the committee of 1821 stated, that by making this proposal, they left a bonus to the Canadian grower of 15*s.* per load. Lord Spencer had proposed the same amount, and the committee of 1836 had recommended the same. He had therefore thought it right to propose that amount of differential duty, which had the sanction of one Government and the authorities he had mentioned, but the present Government having shown they were favourable to the principle of differential duties, so far as to have introduced differential duties where they did not exist before, when he found that they proposed a less differential duty than he had proposed, stating that it would be beneficial to trade, he thought that he was justified in voting with them, and he must say, that he was very happy to find that the amount of differential duty which he had proposed with the concurrence of the late Lord Sydenham would not have been so ruinous to the trade as he was told when he introduced the proposal that it would be by hon. Gentlemen opposite. With regard to the proposition of the Government, although there were some grounds on which he might have preferred others, he should support it. When 600,000*l.* of revenue was to be sacrificed, he might be of opinion, that a more satisfactory arrangement might be made than to spend the whole of it upon the reduction of the timber duties. Perhaps he might think, that a mode of disposing of that amount of revenue might be found which would be more advantageous to the productive industry of the country. Perhaps, had a measure been adopted somewhat like that of his hon. Friend, by reducing the differential duty, taking off 15*s.*, and leaving a duty of 30*s.* on Baltic timber, considerable relief might have been afforded to the consumer without the same risk to the revenue. If on the operation of the Income-tax the Ministers could afford to dispense with a sum of 600,000*l.*, he thought that, looking at the article of cotton wool, and at the articles of cheese and butter, a way of spending that amount might have been found that would have had a more immediate effect upon the production and industry of the country, and upon the expense of living. But still he could not speak lightly of so great a reduction as this was upon an article of this kind; and, therefore, although he must say hon. Gentlemen opposite, when they talked of the pressure of the timber duties, seemed to forget that the duty on colonial timber was raised in 1821 from 2*s.* 6*d.* to 10*s.*, by Lord Ripon, with the consent of Mr. Huskisson and Lord Liverpool, still, admitting, as he did, the benefit to be derived from this particular measure, and reserving his opinion as to whether some better mode of disposing of that amount of revenue might not have been found, he should not feel justified in voting against the proposition of the Government.

The committee divided on Mr. Roebuck's amendment:—Ayes 16; Noes 243: —Majority 227.

List of the Ayes.

Bowring, Dr.
Callaghan, D.
Cobden, R.
Crawford, W. S.
Currie, R.
Dundas, hn. J. C.
Gibson, T. M.
Hollond, R.
Martin, J.
O'Connell, J.
Pechell, Capt.
Philips, M.
Stansfield, W. R. C.
Strutt, E.
Wallace, R.
Wood, B.

TELLERS.

Hume, J.
Roebuck, J. A.

List of the Noes.

Acland, Sir T. D.
A'Court, Capt.
Ackers, J.
Acton, Col.
Adderley, C. B.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Archdall, Capt.
Arkwright, G.
Bagot, hon. W.
Bailey, J.
Bailey, J. jun.
Baird, W.
Bankes, G.
Barclay, D.
Baring, hon. W. B.
Baring, rt. hn. F. T.
Barnard, E. G.
Barrington, Visct.
Beckett, W.
Bell, Mr.
Bentinck, Lord G.
Bernard, Visct.

Blackburne, J. I.
Blackstone, W. S.
Boldero, H. G.
Botfield, B.
Bowes, J.
Bramston, T. W.
Broadley, H.
Brotherton, J.
Browne, hon. W.
Bruce, Lord E.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Campbell, A.
Chapman, A.
Charteris, hon. F.
Chelsea, Visct.
Chetwode, Sir J.
Childers, J. W.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G,
Cockburn,rt. hn. Sir G.
Colvile, C. R.
Corry, rt. hon. H.
Courtenay, Lord
Craig, W. G.
Cresswell, B.
Cripps, W.
Darby, G.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Duncan, G.
Duncombe, T.
Duncombe, hon. O.
Eastnor, Visct.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Esmonde, Sir T.
Evans, W.
Farnham, E. B.
Fellowes, E.
Ferguson, Sir R. A.
Fielden, J.
Filmer, Sir E.
Fitzroy, Capt.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Forester, hn. G. C. W.
Forster, M.
Fuller, A. E.
Gaskell, J. Milnes
Gill, T.
Gladstone,rt.hn.W.E.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gordon, Lord F.
Gore, M.
Gore, W. R. O.
Gore, hon. R.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Granger, T. C.
Greenall, P.
Greenaway, C.
Grimsditch, T.
Grimston, Visct.
Grogan, E.
Halford, H.
Hamilton, J. H.
Hamilton, W. J.
Hampden, R.
Hanmer, Sir J.
Hardinge,rt. hn.Sir H.
Hardy, J.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hill, Sir R.
Hinde, J. H.
Hodgson, F.
Houldsworth, T.
Hope, hon. C.
Hope, A.
Hornby, J.
Howard, P. H.
Hughes, W. B.
Hussey, T.
Hutt, W.
Ingestrie, Visct.
Inglis, Sir R. H.
Irton, S.
Jackson, J. D.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Jones, Capt.
Kelburne, Visct.
Kemble, H.
Knatchbull,rt hn.Sir E.
Knight, H. G.
Knight, F. W.
Labouchere,rt. hon. H.
Lascelles, hon. W. S.
Law, hon. C. E.
Layard, Capt.
Legh, G. C.
Leicester, Earl of
Lemon, Sir C.
Liddell, hon. H. T.
Lincoln, Earl of
Litton, E.
Lockhart, W.
Lowther, J. H.
Lowther, hon. Col.
Mackenzie, T.
Maclean, D.
M'Geachy, F. A.
Mainwaring, T.
Marsham, Visct.
Martin, C. W.
Marton, G.
Master, T. W. C.
Masterman, J.
Miles, W.
Milnes, R. M.
Mitcalfe, H.
Mitchell, T. A.
Morgan, O.
Morgan, C.
Morison, General
Napier, Sir C.
Neville, R.
Newry, Visct.
Nicholl, rt. hon. J.
O'Brien, W. S.
Packe, C. W.
Paget, Lord W.
Pakington, J. S.
Palmer, G.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Philpotts, J.
Plumridge, Capt.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Ponsonby,hn.C.F.A.C.
Praed, W. T.
Pringle, A.
Pryse, P.
Rashleigh, W.
Reid, Sir J. R.
Rice, E. R.
Rolleston, Col.
Rose, rt. hn. Sir G.
Round, C. G.
Round, J.
Rushbrooke, Col.
Russell, C.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scholefield, J.
Scott, hon. F.
Seymour, Lord
Somerset, Lord G.
Somerville, Sir W. M.
Sotheron, T. H. S.
Stanley, Lord
Stanley, E.
Stanton, W. H.
Stewart, P. M.
Stewart, J.
Stuart, Lord J.
Stuart, W. V.
Sturt, H. C.
Sutton, hon. H. M.
Taylor, J. A.
Thompson, Mr. Ald.
Thornhill, G.
Trotter, J.
Tuite, H. M.
Turner, E.
Turnor, C.
Tyrell, Sir J. T.
Verner, Col.
Vesey, hon. T.
Vivian, J. H.
Waddington, H. S.
Walker, R.
Wawn, J. T.
Welby, G. E.
Whitmore, T. C.
Williams, W.
Winnington, Sir T. E.
Wood, C.
Wortley, hon. J. S.
Wyndham, Col. C.
Yorke, hon. E. T.
Young, J.

TELLERS.

Baring, H.
Fremantle, Sir T.

Blank filled up with 30*s.* as the Government proposed.

On the motion being put to fill in the words " from and after the 10th of October, 1843, 1*l.* 5*s*,"

Sir *H. Douglas* moved, that the Chairman report progress, and ask leave to sit again.

Sir *R. Peel* said, he did not wish to press the discussion of important matters at so late an hour; but he certainly should wish that the timber table might be gone through that night. It was of the utmost importance that the tariff should now be got through as soon as possible. He really believed, that at present long discussions were estimated as of little importance compared with the settlement of commercial arrangements.

Motion to report progress withdrawn.

Original question put from the Chair.

Sir *H. Douglas:* It is with great regret that I find myself under the necessity of introducing this motion to the House; but having undertaken this, I do so, not as a mere *ruse de guerre* to keep myself straight with my constituents and others who have confided their representations to to me, but with a sincere and honest desire to succeed in my motion, or if not, to prevail upon the right hon. Baronet to accede to this—that he will at least consent to defer the application of the ulterior duty of 25*s.* for three or four years. Approving in principle, and accordingly supporting, all the great measures brought forward by her Majesty's Government—finding embodied in this tariff the protective principle, and being engaged in discussing its details and degrees, I may state to the House the strong objections which I entertain to the prospective duty of 25*s.*, without evincing, and certainly without feeling, the slightest disposition to withdraw any part of that entire and full confidence which I repose in the ability, integrity, and wisdom of my right hon. Friend, the right hon. Baronet at the head of her Majesty's Government, and of his Colleagues, in their endeavours to extricate the country from those difficulties and embarrassments in which it is now involved. I approve of all the principles upon which this tariff has been framed:—Prohibition repealed—moderate duties substituted—the differential principle extended, and the degrees of protection revised and modified. I approve of the general objects of this tariff. 1st, Cheapness to the consumer. 2nd, To cheapen all raw materials. 3rd, To reduce the cost of production. 4th, To relieve the springs of industry and restore activity, vigour, and energy, to the trading, manufacturing, commercial, and shipping interests. And here I must express unbounded admiration at the industry, ability, practical knowledge, and enlightened views with which this important measure is framed. I admit that sacrifices must be made, minor evils engendered, perhaps, to produce the general good, which I hope and trust will be the result of this great experiment. But the apprehensions so generally entertained with respect to the application of the ulterior duty, which it is the object of my motion to get rid of, are not of minor evils—but of major evils, prejudicial to the manufacturing, shipping, and colonial interests, as depending upon the maintenance of the British North American trade; the political evils which may be produced, in the present posture of our affairs in British North America, if we do not proceed with great caution in dealing with their interests; and then the stake which the right hon. Baronet himself has, and to which I, with great personal regard and respect, attach much importance—namely, that this measure should realise to the British North American people the strong assurances which he held out in bringing forward this measure, that he did not propose, either at present or permanently to injure their interests, but to proceed with the greatest caution, and to do nothing that can suddenly affect their interests; that his object was only to cheapen timber to the British consumer, without interfering with the proportions in which it is supplied, severally from the colonies, and from the Baltic; but which assurances, I very seriously apprehend, will not be carried out, if the ulterior duty should take effect, as proposed. My constituents are deeply concerned in this trade, and seriously alarmed as to the very prejudicial and ruinous effects of that extreme part of the measure. They are willing and prepared to make sacrifices for the general good; but they all concur that the descent of protection from 30*s.* to 25*s.* would be a vast and ruinous sacrifice. Every other constituency in the United Kingdom concur in this, and have all confided to my noble Colleague and myself petitions to this effect. From every part of British North America, I have received strong petitions against the proposed measure, and which representations I deem it my duty to make faithfully to this House, whilst discussing and disposing of their interests, where they are not represented. The Governor-general of Canada transmits five petitions, representing in very strong terms the very great alarm into which they have been thrown by the proposed measures, and submits the expediency of a delay of four or five years. No recent representations from Nova Scotia have been laid before Parliament, but those of last year deprecate in the strongest terms the then proposed alterations in the timber duties and the inter-colonial trade. The Lieutenant-Governor of New Brunswick transmits, and strongly recommends to the favourable consideration of her Majesty's Government, twelve petitions against the proposed measures. He remarks—

> "That any sudden alteration in the duties, and without affording time and aid in developing new resources, will seriously aggravate the distress now prevailing."

gain, on the 30th of March last—

> "I have reason to believe that this petition expresses very generally the sentiments entertained at this time by the inhabitants of the other counties, but who, from the information of the proposed measures having only been received by the last packet, they have been unable to send up petitions in time to be transmitted by the present mail."

And in another despatch of the same date, he writes—

> "I have just received the enclosed address to the Queen from the legislative Council and Assembly of this province, on the subject of the changes which are understood to have been proposed in Parliament, affecting the regulation of the trade of the British colonial possessions; and having already explained to your Lordship my apprehensions of the effect of those changes at this time on the inhabitants of this province, I have only to recommend the subject to the consideration of your Lordship and her Majesty's Government."

Before I proceed to the figures of this case, I deem it right to make a few observations on the ratio of the proposed reduction in the scale of duties. Taking those on coloniel timber singly, it appears to be a vast boon. That reduction is nine-tenths. The reduction on the foreign timber is infinitely less; but the ratio of protection is not always that in which the scale may be altered, where the difference of duty is considerable, as in this case, and the proportions of the article of timber supplied pretty evenly maintained. In this case, the great absolute reduction of the higher duty destroys the balance, although the ratio of that decrease is infinitely less than that of the other duty. I hope the House will not be alarmed at my unfolding this paper, covered with figures; I shall take out our case and present it in very simple terms. In the year 1840 there were imported from the Baltic woods of all sorts to the amount of 607,533 loads, the average rate of duty paid on which was 43*s.* 6*d.*; but this included firewood, subject to a specific duty by fathom, but which, reduced to loads, amounted to 40,963, average rate of duty 4*s.* 4¾*d.* But this sort of wood stuff ought not to have been taken into calculation for the purpose of determining the average rate of duty per load. Subtracting, then, 40,963 from 607,533, we have 566,570, and the average duty 46*s.* 3*d.*, which is a difference of 5*s.* 3*d.* over the 41*s.*, which the right hon. Baronet stated to be the average rate of duty paid upon all woods imported from the Baltic; and was, in fact, the cardinal number upon which the scale of duties on foreign timber and deals, proposed by her Majesty's Government, was framed. But my constituents think they have a right to claim a higher average rate of duty than this. They plead that neither oak-knees, lathwood, handspikes, nor spars, being all subject to specific duties, should have been taken into the calculation. The total quantity of these imported, and reduced to loads, amount to 35,740, which, subtracted from 566,570, leaves 530,830, and the average rate of duty rises to 47*s.* 11*d.*, which is 6*s.* 11*d.* over the right hon. Baronet's cardinal number of 41*s.* But I do not intend to claim this, and confine my case to the 5*s.* 3*d.* difference, and claim to apply the 5*s.* to get rid of the descent of 5*s.* from 30*s.* to 25*s.*, and so extinguish that ulterior duty. Now, applying here what I have said upon the subject of ratios of protection, I shall state, first, the proportion in which timber has been supplied from the Baltic and from the colonies under the present scheme. The quantity of red pine imported from the Baltic was 138,000. From the colonies it was 95,000, being 43,000 in favour of the Baltic. The oak was nearly equal, being 29,100 from the Baltic and 29,400 from the colonies. Now, the protection by which this proportion was maintained was 45*s.* It is proposed to reduce it to 25*s.*; if this be done it must be quite clear that the proportion must be very materially altered and the colonies seriously injured. Of yellow pine the importation from the colonies was 439,967, and of ash, elm, and birch 60,835; and it is hoped the colonies will continue to supply those articles. Now, with respect to deals, the importation into Great Britain, from the Baltic, was 321,894, and from the colonies 208,239, which shows that the protection even of 35*s.* 6*d.* was not sufficient. The importation of deals from the Baltic into Ireland was 3,601, from the colonies it was 65,303, which I am bound, in all fairness, to admit was too much. The spars imported from the

Baltic were 13,334 loads, and only 1,223 loads from the colonies, showing that the protection of 9*s.* 3*d.* per load, instead of being reduced, should be increased. The staves imported from the Baltic were 22,999 loads, from the colonies 32,577 loads. I implore the right hon. Baronet to be cautious with respect to this ulterior duty. I earnestly recommend him to postpone it at least for some years; this is the only way of acting with caution and certainly relatively with the assurances that he has given. Let the 30*s.* duty be tried for a period of years. If it give to the colonial interests a preponderating advantage, a greater participation in the supply than they have now, let it be reduced. My constituents desire no more, nor do I; and if the right hon. Baronet will accede to my motion, and it should appear that the 30*s.* duty may bear reduction, then I pledge myself to vote for such reduction, either to 25*s.* or to such other duty as may be requisite to restore a just proportion, and a fair competition between the Baltic and colonial supplies. Now to show the effect upon the colonial timber trade of carrying out the extreme measure of the 25*s.* duty. The price of freight from the Baltic varies from 12*s.* to 17*s.*, taking the average at 15*s.*, and adding to it the duty, we have 40*s.* The freight from British North America is about 39*s.*, the proposed duty 1*s.* Here there is no protection to the colonies. I am not certain what the cost and charges on timber shipped in the Baltic may be, but it is very important to state to the House what the cost of timber is, exclusive of that of felling, getting out and shipping in British North America. The price of timber standing in the Crown forests is:—

Oak	6*s.* 2*d.*	per load.
Red Pine	4*s.* 2*d.*	„
Elm and Ash	4*s.* 2*d.*	„
Yellow Pine	2*s.* 1*d.*	„
Saw Logs	2*s.* 0*d.*	each.

These sums are paid on licences to cut timber on the ungranted or crown lands, and their revenue forms the "timber fund," which, by agreement between the Crown and the local legislatures, was turned over to them, on condition of which they entered into engagements to pay the local civil lists. Now, let the House consider well what will be the effect of materially interfering with the sufficiency or productiveness of this fund. It would be breaking faith with the colonial legislatures; it would disable them to meet their engagements, and produce the most serious evils, unless this House were to restore the colonial civil lists to the Parliamentary estimates. It was the withdrawing of those charges from the Parliamentary estimates that occasioned all the difficulties and conflicts between the colonial executives and legislatures; and it was only by turning over to them the properties and revenues of the Crown in the provinces that these most serious and threatening conflicts were terminated. The civil list of New Brunswick is 14,500*l.* a-year. I am not sure what the amount is in the Canadas, but I believe that the timber fund arising from licences to cut timber in the districts bordering upon the Ottawa alone, in the last year, was 20,000*l.* The select committee of 1835 recommended a differential duty of 30*s.* The late Government plan was to raise the duty on colonial timber to 20*s.*, and reduce that on Baltic timber to 50*s.*, giving thus a differential duty of 30*s.* in favour of the colonies. On these grounds, too, I move, that the duty should now rest at that amount. Now, to show the value of this entire trade, the British manufactures, taken by British North America, is steadily and vastly increasing, in consequence chiefly of the activity in the timber trade. In 1821, the value taken in pounds was 1,100,000*l.* In 1831, it was 2,080,000*l.* In 1840, it was 2,800,000*l.*, and it is now 3,000,000*l.* The British North American trade employed in 1841, 2,461 ships, whose tonnage amounted to 841,348 tons, manned by 32,950 men, being about one-fourth of the shipping employed in the whole trade of the empire. The tonnage employed in the timber trade alone is about 600,000 tons. The outward spring tonnage in number of ships—and what an advantage this by cheap freight for emigration—is usually from 1,000 to 1,200 sail; but such is the panic—the consternation, I may say—occasioned by the present measure, that not more than 500 sail have gone out this spring. The effects of this in Canada and New Brunswick will be most serious. The ladings for the usual number are all prepared; full stocks of the supply on hand. Orders have been sent out to stop all proceedings. Contracts for a year's business, and for nice competitions, founded on existing laws, will be interfered with; and it is scarcely necessary to trace further the distress, the disappointment, the loss of confidence, that must ensue. I shall not take up more of the time of the House at this late hour, by dwelling further upon the case which I represent, and upon the grounds and under the circumstances which I have endeavoured to state, as concisely and distinctly as possible. I move that the duty on and after October next on foreign timber shall be 30*s.*, and on deals 38*s.*, both per load; and that the ulterior duty of 25*s.*, contemplated in the proposed measure, shall not take effect.

Sir *R. Peel* said, of all the calculations he had heard as to the probable effect of the plan he proposed for the arrangement of the timber duties, the most striking was that of the hon. Gentleman, the Member for Renfrewshire (Mr. P. M. Stewart), who was generally opposed to her Majesty's Government, and not very favourable to his financial measures, but who calculated that on a sum of 2,000*l.* employed in house building there would be a saving on the article of timber alone of 93*l.* If the hon. Gentleman's calculation was correct, it was difficult to say what the extent of encouragement would be that would be held out to the building trade. If this was the effect of the tariff, as regarded the building of houses, what must be its effects on ship-building? Would not the demand for Canadian timber be immensely increased, and would not the general prosperity of trade amply compensate the Canadians for any trifling loss to which they might possibly at first be subjected? He was happy to inform the House, that the impression already made by this tariff in the countries on the shores of the Baltic was most favourable. The German League had intended to make a heavy increase in the duties on British iron, but the proposal had been abandoned, when the tariff became known on the continent. It was not possible to conceive anything like the general acquiescence with which his Income-tax, an impost so unusual in time of peace, had been received by the country, but he felt all the more strongly the obligation he had incurred to adhere to his original plan of holding out by the tariff a compensation to the payers of the Income-tax. Of this the article of timber would form no small element. On the whole he hoped the House would steadily refuse to interfere with the proposition of Government, as the best medium between the two extremes, seeing that regard for the interest of the revenue and for the national faith would not allow them to carry the reduction of the duty on timber any further.

Amendment withdrawn.

Schedule concerning timber agreed to.

The House resumed. Committee to sit again.

Divisions—Privilege. On the motion that the House do adjourn,

Mr. *Mackenzie* wished to say a few words on a matter personal to himself. When the House was about to divide, he and an hon. and gallant Friend near him was thrust back by the Serjeant-at-Arms. The door was not shut, and he was on the step when he was violently pushed back by the Serjeant-at-Arms. He wished to know whether it was a proper proceeding thus to exclude Members who had been anxiously waiting in the House to divide? It would be utterly useless for Members to attend, if the Serjeant-at-Arms were permitted to exclude them in the mannerhe had described.

The *Speaker* said, the question was, whether the hon. Member was in the House when the motion was put from the Chair? If he were in the lobby when the motion was put, he had no right to enter the House.

Mr. *Mackenzie* asked, how a Member was to know when a motion was to be put? It would be only common courtesy for the officer of the House to inform Members when the question was put, and not to thrust them back as they were entering the House. This appeared to him to be perfectly monstrous.

House adjourned.

HOUSE OF LORDS,

Tuesday, June 7, 1842.

Minutes.] Bills. *Public.*—2$^{a.}$ Civil Bill Decrees (Ireland).

Committed.—Jurisdiction of Justices.

3$^{a.}$ and passed:—Australia and New Zealand.

Private.—1$^{a.}$ Wicklow Harbour; Metropolitan Wood Paving Company; North American Colonial Association (Ireland); Ross and Cromarty Court House; City of Glasgow Life Assurance Company; Forth Marine Assurance Company; Gravesend Town Pier; Lough Foyle Drainage; Imperial Bank of Ireland; Fleetwood Improvement; Church Stetton and Longden Road; Medbourn Inclosure.

2$^{a.}$ Hawke's Divorce; Milton's Estate (Crawford's); Liverpool Borough Court; Warkworth Harbour.

Reported.—Drogheda Harbour; Indemnity Mutual Assurance Company; Dundee and Arbroath Railway; Boston Harbour (No. 3).

3ª. and passed:—Rouma's Naturalization; Lesbazeille's Naturalization; Clerkenwell Improvement.

Petitions Presented. From the Deanery of Eaton, for an Alteration of the Law respecting the Repair of Parsonage Houses.—By the Earl of Enniskillen, from Kil087loran, for the Establishment of Schools in connexion with the Church Education Society (Ireland).—By the Earl of Radnor, from the Evesham and Broomwich Literary and Scientific Institutions, for Exempting them from the Payment of Rates and Taxes.—By the Earl of Devon, from Plymouth, against the Property Tax Bill.—From Christopher Lonsdale, against the Copyright Bill.—From Guardians of the Teesdale Union, for Alteration of the Poor-law in relation to Bastardy.

The Queen's Letter — Distress.] Lord *Kinnaird* rose to ask the question of the noble Duke which he had asked yesterday. He was surprised that the noble Duke objected to answering that question without notice, because it was continually the practice whilst his noble Friend (Viscount Melbourne) was in office to ask these questions without notice, and very often to make remarks in so doing. He would, however, conform strictly to the rule of the House, especially as he was aware that the Government were not always able to answer a question summarily, and he would take care to give them time in future to become aware of their own acts and deeds. His question was to whom would be entrusted the distribution of the funds expected to be collected by the Queen's letter?

The Duke of *Wellington* had only done what was quite usual, in calling the noble Lord to order, when he was entering into a discussion on a subject upon which he was about to put a question, and in stating afterwards to the noble Lord the advantage of giving notice of his question. The noble Lord was pleased to state that it was not the practice heretofore to give notice, but at any rate it was not the practice to make speeches when noble Lords put a question upon an hypothesis, and he had frequently supported the objection of the noble Viscount (Viscount Melbourne), to making speeches on questions, and to putting questions without notice. He had always done everything in his power to prevent questions being put in an irregular manner. Last night, as none of her Majesty's Ministers were in the House, he could not have answered the noble Lord's question. The noble Lord the Secretary of State and the Lord President of the Council were not present, and not being in office, he was not able to give an answer. The noble Lord had not that night asked the same question as he did last night. The former question had reference to Burnley; but in answer to the present question, he had to state that the money to be raised by the Queen's letter would be handed over to be distributed by a committee which had been in existence since 1825, called the Manufacturers Distress Relief Committee. All monies subscribed by her Majesty and her subjects throughout the country would be given to them, and they had had and would have the distribution; and in answer to the question of the noble Lord yesterday, it was this committee which had sent down the sums of money to the town of Burnley.

The Earl of *Radnor* had originated the discussion as to advances made for relief and had mentioned the donations to the Spitalfields weavers, thinking that the application of the public stores was an irregular mode of proceeding, and so it had been stated to be by all who spoke. In the course of the debate the other night a noble Lord had stated that this was a common and usual practice, and his noble Friend near him (Lord Monteagle) had said that when he was in office he had, over and over again, done the same thing. Now, there was a difference between giving money to relieve distress that was local and applying it to the general relief of distress in manufacturing districts, arising from a want of trade. The latter appeared to him to be very irregular, and he would, therefore, move for a return of all aid afforded by the Government, without the vote of Parliament, from 1826 to the present time, stating whether Parliament was sitting or not.

The Duke of *Wellington* said, that the noble Lord had not given notice, and although he had no objection to the return, he thought it would be better if the rule of the House were adhered to. He had not stated that it was the practice to make these advances of the public money; on the contrary, he was not aware that any public money had been given; any money that had been advanced was from the civil list contingencies voted to the Crown, and he had spoken of the general principle of granting public money as not being desirable.

Lord *Monteagle* had not intended to say that it was the general principle to make these advances; but as it was frequently the case, it would have been improper in him to remain silent as to what had been done when he was responsible.

If money which had been voted by Parliament for one purpose had been devoted to another, he did not say that such an act ought to be censured, but it ought to be accounted for by the Minister. But every year a sum of money which was voted under the head of civil contingencies, and not appropriated, was placed at the disposal of the Government, and there was a sufficient Parliamentary check, because what was in the estimate one year must be accounted for in the next, and an account of the expenditure must be laid before the House of Commons. These advances were made out of the funds voted for civil contingencies, and there was no concealment and no misappropriation. Unless the case were one of extreme urgency, for the minister to come forward with a public declaration in order to take a vote of Parliament for the relief of distress was generally inexpedient, inasmuch as it excited needless alarm and false hopes, as well as paralysed local exertions. Therefore in the cases to which he had referred, although no resolution of the House of Commons had been first required, there had been no misappropriation of the public money, and no concealment of its application. On one or more occasions, Captain Hill, (an officer well known to the noble Duke having been employed by and received a certificate from him) had superintended the distribution of the money so granted, and he had made certain reports to the Treasury which, perhaps, it might be as well to annex to the motion of the noble Earl (the Earl of Radnor), as they contained much that would explain and elucidate the subject.

The Earl of *Ripon* could confirm what had been said as to the practice of the Treasury in relation to civil contingencies. Parliament always granted a sum, leaving the application of it to Ministers, under the responsibility of having to account for it in the next year. The fund called the Royal Bounty was disposed of without the same control, but the amount was comparatively small. He was not aware of the precise nature of the reports of Captain Hill, and therefore could not undertake to produce them without previous inquiry.

Motion agreed to.

Adjourned.

HOUSE OF COMMONS,

Tuesday, June 7, 1842.

MINUTES.] NEW MEMBERS.—The Earl of Desart, and Thomas Gladstone, Esq., for Ipswich.

BILLS. *Public.*—1°· Mines and Collieries; Sugar Duties.

Reported.—Law of Merchants.

Private.—2°· Charterhouse Hospital Estate; Liverpool and Manchester Railway.

3°· and passed:—Imperial Bank of England; Medbourn Inclosure (No. 2); Ross and Cromarty Court Houses; Fleetwood Improvement and Market; Gravesend Town Pier; North American Colonial Association of Ireland; Imperial Insurance Company; Church Stretton and Longden Roads.

PETITIONS PRESENTED. From the Moderator of Caithness, for the Better Observance of the Sabbath.—From the Catholics of Macclesfield, for Equality of Civil Rights.—From York, Redcor, Martley, Liskeard, Hadlow, London, Tenbury, Aberdeen, Penshurst, Glasgow, Great Ayton, Dunstable, and other places, for the Prevention of Railway Travelling on the Sabbath.—From Rees Price, for Amendment of the Railway Act.—From the Moderator of Caithness, for declaring Valid all Marriages solemnized by the Presbyterian Ministers between Members of the Established Church and Protestant Dissenters.—From Gainsborough, South Crossland, Woolstanton, Burslem, and Nottingham Unions, for Alteration of the Poor-law Amendment Act.—From Truro, York, Leicester, St. Leonard's Shoreditch, and Christ Church Spitalfields, against the Poor-law Amendment Bill.—From Sutton, and Chichester, against the Dissolution of Gilbert Unions.—From the Provisional Chamber of Commerce, London, for Measures of Relief of Distress in the Manufacturing districts.—From Shrewsbury against Further grant to Maynooth.—From Greenwich, and other places, against Employment of Females in Mines and Collieries.—From Newcastle-upon-Tyne, against the Proposed Export Duty on Coals, and for inquiry into the Distress of the Shipping Interest.—From Donoughmore, for Alteration of the Present System of National Education (Ireland).—From the President of the Chamber of Commerce (Dublin and Carlow), against the Fisheries (Ireland) Bill.—From Plymouth, and Evesham; for the Exemption of Literary and Scientific Institutions from the payment of Rates and Taxes.—From Bexley, complaining of the Expenses of the Metropolitan Police.—From St. Helen's, for the Reduction of the Duty on Coffee and Sugar; and from Holbeton, Brixton (Devon), and other places, as well as from a number of Mortgagees of Tolls and others, against the Turnpike Roads Bill.—From the Clergy of the Diocese of Exeter, for Amendment of the Law for rating of Tithes.—From Denbigh, for Repeal of Duty on Attornies Certificates.—From Bristol and Exeter Railway Company, for a Direct Line of Communication between England and Ireland.—From Duncannon, for making Bristol and Waterford Post-office Packet Stations.—From the West Riding of York, and Manchester, for Limiting the Hours of Labour of Young Persons in Factories.—From Quarter Sessions Grand Juries of Dublin, for better Regulating the Business of the Court.—From Operatives of Manchester (natives of Ireland), for Amendment of the Poor Relief (Ireland) Act.—From Henry Turner, for substitution of an Affirmation in lieu of an Oath.—From Cork, against placing the Medical Charities of Ireland under the Poor-law Commissioners.—From Gainsborough, for Rating Owners of Small Tenements in lieu of Occupiers.—From Worcester, against War in China and Affghanistan.—From Worcester, against the Closing of Public Houses.

DIVISIONS.—EXCLUSION OF MEMBERS] Sir *R. Inglis* had to ask the indulgence of the House in the discharge of a painful duty. Those Members who were present at the close of the business last evening, when the last division took place, would recollect that a difficulty appeared on the part of Members desirous of going forth to divide, in consequence of some obstacle in the lobby, so at least it was then understood in the House. When the division was closed, and when the committee was over and the other business was proceeded with, an hon. friend of his, the Member for Peebleshire, made a statement to the House which he would further call the attention of the house to, as affecting in the strongest manner an officer of the Crown appointed to attend that House as Sergeant-at-Arms. The House well knew that the Sergeant-at-Arms was a servant of the Crown, and that he had no other means of making himself heard than by making a communication to some Member of the House. His friend Sir W. Gossett, in consequence of what took place last night, had addressed a letter to him, which, with the permission of the House, he would proceed to read. It was dated, the House of Commons, June 7, and was as follows:

"Sir—A statement having been made last night to the House by Mr. Mackenzie, the Member for Peeblesshire, that I had forcibly thrust him back from the door of the House as he was entering for a division, and that I had adopted a rude course towards him, I fear, if I were to allow this statement to remain uncontradicted, I should suffer in the estimation of the House; and I feel it due to my character and to the situation I have the honour of holding, to clear myself from an imputation which, if correct, would render me unworthy of the confidence of the House for the honest discharge of a most delicate and important duty, by which decisions of the utmost moment might be affected.

"I therefore pray the House will be pleased to have the matter fully investigated, when I pledge myself to prove that Mr. Mackenzie was not entitled to vote; that I did not thrust him back; and, after the door of the House was locked, he asked me, through the wicket, to admit him and the other Members who were shut out; and that he acted contrary to the rules of the House in not withdrawing from the lobby when ordered to be cleared for a division.

"I have the honour to be, Sir,
"Your most obedient humble servant,
"WILLIAM GOSSETT.
"Sir R. H. Inglis, Bart., M.P."

He had also received a letter from an hon. Member of that House, who happened to be one of the Members shut out at the division last night; but as his hon. Friend was now in his place, it would be better that he should state what he saw, and give his opinion as to the statement of the Sergeant-at-Arms. He had to thank the House, on his own part and on that of the Sergeant-at-Arms, for the attention with which it had listened to him.

Mr. *Matthias Attwood* hoped that he might be allowed to make a short statement on this subject, as he was one of the Members shut out at the division last night. He had wished to be present when the question was put, as he wished to divide on the motion, but just when he came to the door it was locked, and the information was given to him that the question was already put. Under these circumstances he was aware that he could not enter the House to divide, as he had not heard the question put. Two other Members were with himself at the door, and they requested the door-keeper to open it, which he respectfully but firmly declined. The hon. Member for Peeblesshire then requested to see the Sergeant, and on the Sergeant appearing at the wicket the hon. Member renewed his request, when he was refused in the most courteous manner. The Sergeant-at-Arms acquainted the hon. Member that to do so would be against the rules of the House. And here he must observe, that as regarded the rules of that House, an individual Member should not look to personal considerations, or wish, in consequence of some inconvenience, that these rules should be relaxed, which were wisely framed for the government of all the Members of the House. But after this the hon. Member refused to retire from the lobby, although requested to do so by the officer of the House. Indeed, on being requested to retire from the lobby, so as to enable Members to come forth to the division, in terms of great civility, he refused in very decisive language. There was no doubt that considerable inconvenience might arise from such a practice, as Members might thus be counted in a division improperly. This hon. Gentleman and another hon. Member were at length removed from the lobby, and he would state that he was satisfied that the officers of that House did not mean to exceed their duty in taking the course which they did.

Mr. *Mackenzie* stated, that he had received a letter that morning from the Sergeant-at-Arms, stating, that he had written to the Speaker on the subject, and requested his attendance in the House of Commons. On his appearing in the House, the hon. Member for the University of Oxford informed him that he was in the possession of a letter from Sir William Gossett, and on his asking to see it the hon. Member, with a want of his usual courtesy, refused to shew it him. He now wished distinctly to state, that he retracted nothing of what he had said last night, and he had no doubt that all that he then stated would be confirmed by an hon. and gallant Friend of his, who was with him at the time. He was inclined to believe, that the door was open when he was upon the last step, and when he was just in the entrance of the House; at that moment the door was forcibly shut in his face. As for his refusal to leave the lobby when requested to do so, he could only say, that it was very improper, and he had to express his regret at having done so; he had no doubt that his doing so arose from his feeling irritated at the moment at being shut out in the manner which he had described, but it was not an act which he was likely to be guilty of again. He had made no personal charge against the Sergeant-at-Arms; he had only asked a question of the Chair as to what was the rule of the House, and the Speaker stated that the rule of the House was, that if a Member was in the lobby when the question was put he had no right to vote, and he could only do so when within the four walls of the House. He felt as much as the hon. Member for the University of Oxford or the hon. Member for Whitehaven the importance of maintaining the rules of that House, and he was quite as anxious to observe them; but the case was one of extreme peculiarity, because it could be scarcely said that he was either within the walls of the House or the lobby. There was a dull debate on a dull subject—everything to induce Members to retire, and they drew their conclusions from the number of strangers in the lobby. But if inconvenience was felt in coming from the refreshment-room now, how much more would the inconvenience be felt in the new Houses, where long passages and galleries would have to be traversed. He had expressed his regret for one part of his conduct, but he appealed to his hon. and gallant Friend if what he had stated was not true.

Captain *Beresford* (Athlone) said, that he was present with his hon. Friend, and he thought they were in perfect time when they came to the door, which was closed. He thought it was extremely hard, after having remained during the whole of the debate, to be excluded. He could only say that, in his opinion, they were unjustly excluded from the House, and that his hon. Friend had truly stated what passed.

Sir *James Graham* hoped that the discussion would not be carried further. The two hon. Members had admitted that when they heard the division bell they were not in the House, and that they attempted to get into the House when the door was closed, and refused to quit the lobby when they were excluded from the House by the division taking place. On the whole, he did not think there was any contradiction in the statement of the gallant Officer, who discharged a difficult duty, according to the orders of the House, with great courtesy; and, at the same time that he performed it with firmness, he did it with all the complaisance due to hon. Members. This, he believed, was the general feeling of the House. The order was, that the door should be locked at the very moment when the question was put, and when there was a press of Members this was very difficult to do with all the gentleness that might be desired. He did not think that it was necessary to carry the discussion further, but he hoped what had taken place would lead Members to attend more strictly to the orders of the House, and at the same time confirm the Sergeant-at-Arms in the course he had usually observed.

EMPLOYMENT OF WOMEN AND CHILDREN IN MINES AND COLLIERIES.] Lord *Ashley* spoke as follows:*—It will not, I hope, be deemed presumptuous on my part when I rise to propound my motion to the House, and when I ask for its sympathy and patient hearing, if I add at the same time that I feel quite certain of obtaining their indulgence. The novelty of the subject, its magnitude, the deep and solemn interest which is felt throughout the country, the consideration of its vital influence on the welfare of so large a portion of our fellow-subjects, will, of themselves, be sufficient to obtain your indulgence; nor can I forget, Sir, how often and how undeservedly I have experienced indulgence at the hands both of yourself and of the House. Perhaps, Sir, I may be allowed just so far to speak of myself as to say, that there is some little reason why I should be thus forward in bringing this matter under the notice of Parliament. The report on your Table is the first report of a commission for which I had the honour to move, in August, 1840. The prayer of that motion was granted by the then Administration; and I shall avail myself of this opportunity, and of every other fitting opportunity, to express my sincere and heartfelt thanks to the Members of the late Government; and more especially to my hon. Friend the Member for Perth, (Mr. F. Maule) at that time Under-Secretary of State, and to my noble Friend (the Marquess of Normanby) in the other House, then at the head of the Home Department, not only for the commission which they gave, but for the commissioners whom they appointed, Gentlemen who have discharged the duties assigned to them with unrivalled skill, fidelity, and zeal. Sir, it is not possible for any man, whatever be his station, if he have but a heart within his bosom, to read the details of this awful document without a combined feeling of shame, terror, and indignation. But I will endeavour to dwell upon the evil itself, rather than on the parties that might be accused as, in great measure the authors of it. An enormous mischief is discovered, and an immediate remedy is proposed; and sure I am that if those who have the power will be as ready to abate oppression as those who have suffered will be to forgive the sense of it, we may hope to see the revival of such a good understanding between master and man, between wealth and poverty, between ruler and ruled, as will, under God's good providence, conduce to the restoration of social comfort, and to the permanent security of the empire. Sir, when I moved for the commission, I ventured to state the manifold and important information that I thought would be obtained by the country from its extended investigations: that expectation has been fulfilled. Other reports will develope more amply the whole length and breadth of our perilous position; but, *ex pede Herculem*, it has shown you the ignorance and neglect of many of those who have property, and the consequent vice and suffering of those who have none; it has shown you many sad causes of pauperism; it has shown you the physical disorders which our system has engendered, and the inevitable deterioration of the British race; it has shown you in part our condition, moral, social, and religious. We know not what a day may bring forth. I know it will be said, "Vice is not new—danger is not new; this has occurred before, and will occur again." That is true; but I maintain that our danger is absolute, not comparative—our forefathers had to deal with thousands, we with millions. We must address ourselves to the evil boldly and faithfully, or it will soon acquire so enormous a magnitude as to be insuperable by any effort either of genius or principle. I shall now proceed to the statement I have undertaken respecting the condition of the working classes in our mines and collieries, and the measures requisite to ameliorate that condition. I am sorry to detain the House by reading documents; I shall often have occasion to solicit their indulgence; but the subject demands it. I think that the points I wish to establish should be made out by statements and evidence, rather than by any attempts at declamation. In the first place, I shall present the House with the result of the evidence respecting the age and sex of persons employed in the mines and collieries. The extent to which the employment of females prevails varies very much in different districts: in some parts of the country none but males are employed, in other places a great number of females. With respect to the age at which children are worked in mines and collieries in South Staffordshire, it is common to begin at seven years old; in Shropshire some begin as early as six years of age; in Warwickshire the same; in Leicestershire nearly the same. In Derbyshire many begin at five, many between five and six years, many at seven. In the West Riding of Yorkshire, at the same early ages: it is not uncommon for infants even of five years old to be sent to the pit. About Halifax and the neighbourhood, children are sometimes brought to the pits at the age of six years, and are taken out of their beds at four o'clock. Bradford and Leeds, the same; in Lancashire and Cheshire, from five to six. Near Oldham, children are worked as low

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* From a corrected Report.

> "As four years old, and in the small collieries towards the hills some are so young they are brought to work in their bed-gowns."

In Cumberland, many at seven; in South Durham, as early as five years of age, and by no means uncommonly at six. In reference to this, I may quote a remark of Dr. Mitchell, one of the commissioners; he says,

> "Though the very young children are not many in proportion, there are still such a

number as is painful to contemplate, and which the great coal-owners will, perhaps, now learn for the first time, and I feel a firm belief that they will do so with sorrow and regret."

Now, in justice to the great coal-owners of the North, I must say, that if they had been the only parties with whom we had to deal, the necessity for this bill would perhaps not have existed; they have exhibited, in many respects, care and kindness towards their people. Many children, the Report goes on to state, are employed in North Durham and Northumberland at five, and between five and six:

> "The instances in which children begin to work at seven, and between seven and eight, are so numerous, that it would be tedious to recite them."

In the east of Scotland, it is more common for children to begin work at five and six than in any part of England. In the west of Scotland, children are taken down into the pits at a very early age, often when eight years old, and even earlier. In North Wales, the cases are rare of children being employed at five or six—they are very common at seven. In South Wales, more cases are recorded of the employment of children in the pits at very early ages than in any other district. It is not unusual to take them into the pits at four years. Many are absolutely carried to the work. In South Gloucestershire, cases are recorded of children employed at six years, the general age is about nine. In North Somersetshire, many begin to work between six and seven. In the South of Ireland, no children at all are employed. All the underground work, which in the coal-mines of England, Scotland, and Wales is done by young children, appears in Ireland to be done by young persons between the ages of thirteen and eighteen. Now, with respect to sex, the Report states, that in South Staffordshire no females are employed in underground work, nor in North Staffordshire. In Shropshire, Warwickshire, Leicestershire, and Derbyshire, the same. In the West Riding of Yorkshire, the practice of employing females underground is universal. About Halifax and the neighbourhood, girls from five years old and upwards regularly perform the same work as boys. At Bradford and Leeds, far from uncommon. In Lancashire and Cheshire it is the general custom for girls and women to be employed. In North Lancashire, throughout the whole of the district, girls and women are regularly employed underground. In Cumberland, there are none, excepting in one old colliery, nor in Durham, nor in Northumberland. In the east of Scotland, the employment of females is general, but in the west of Scotland extremely rare. In North Wales, some on the surface, none underground. In South Wales it is not uncommon. In Gloucestershire and Somersetshire there are none. In none of the collieries in the coal-fields of Ireland was a single instance found of a female child, nor a female of any age, being employed in any kind of work. I must observe that, with respect to that country, neither children of tender years, nor females are employed in underground operations. I have often, Sir, admired the generosity and warm-heartedness of the Irish people; and I must say, that if this is to be taken as a specimen of their barbarism, I would not exchange it for all the refinement and polish of the most civilised nations of the globe. The next point to which I desire to call the attention of the House is the character of the localities to which these young creatures are consigned. The state and nature of the places in which they work, form a most material consideration in this subject, for they must necessarily affect the safety and salubrity of the employment. If the ventilation and drainage of these places be good, then much protection is given to the health of the employed; if otherwise, the most fearful diseases may be engendered; and the early prostration inflicted of a working man's capacity to obtain his livelihood. Now, it appears that the character of the places of employment differs according to the depth of the seams of coal, which vary from ten inches in some districts, to ten or twenty yards in others. In South Staffordshire, for instance, the places of working are described as, comparatively speaking, comfortable to those who are habituated to them. Dr. Mitchell says:—

> "In the coal-mines of this district, the state of the place of work, to persons who have been accustomed to it, is very comfortable. The coal-beds are sufficiently thick to allow abundance of room. The mines are warm and dry. There is a supply of fresh air from ventilation, though less than there might easily be."

In Leicestershire and Warwickshire, they are described as being the same; but in Derbyshire the state of things in this respect is described as being very different:—

> "Black-damp very much abounds — the ventilation in general is exceedingly imperfect. . . . . Hence fatal explosions frequently take place; the work-people are distressed by the quantity of carbonic acid gas which almost everywhere abounds, and of which they make great complaint, and that the pits are so hot as to add greatly to the fatigue of the labour."
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> "While efficient ventilation," the Report adds, "is neglected, less attention is paid to drainage. . . . Some pits are dry and comfortable. . . . Many are so wet, that the people have to work all day over their shoes in water, at the same time that the water is constantly dripping from the roof; in other pits, instead of dripping, it constantly rains, as they term it, so that in a short time after they commence the labour of the day, their clothes are drenched; and in this state, their feet also in water, they work all day. The children especially (and in general the younger the age, the more painfully this unfavourable state of the place of work is felt) complain bitterly of this."

It must be borne in mind, that it is in this district that the regular hours of a full day's labour are fourteen, and occasionally sixteen; and the children have to walk a mile or two at night without changing their clothes. In the West Riding of Yorkshire, it appears, that there are very few collieries with thin seams where the main roadways exceed a yard in height, and in some they do not exceed twenty-six or twenty-eight inches; nay, in some the height is as little even as twenty-two inches; so that in such places the youngest child cannot work without the most constrained posture. The ventilation, besides, in general is very bad, and the drainage worse. In Oldham, the mountain-seams are wrought in a very rude manner. There is very insufficient drainage. The ways are so low, that only little boys can work in them, which they do naked, and often in mud and water, dragging sledge-tubs by the girdle and chain. In North Lancashire,

> "The drainage is often extremely bad; a pit of not above twenty inches seam," (says a witness,) "had a foot of water in it, so that he could hardly keep his head out of water."

In Cumberland, it appears the mines are tolerably dry and well ventilated, and in South Durham the same, with some exceptions. In North Durham, there are some thin seams, and in Northumberland many not exceeding two feet, or two feet two inches. Great complaints are made by children of pains and wounds from the lowness of the roof; but the ventilation is excellent—as good, perhaps, as it can be in the present state of that science Yet, I regret to add, the

> "Drainage, not being so essential to the safety of the coal-mine as ventilation, has been much less attended to in this district."

In East Scotland, where the side-roads do not exceed from twenty-two to twenty-eight inches in height, the working-places are sometimes 100 and 200 yards distant from the main road, so that females have to crawl backwards and forwards with their small carts in seams, in many cases not exceeding twenty-two to twenty-eight inches in height. The whole of these places, it appears, are in a most deplorable state as to ventilation, and the drainage is quite as bad as the ventilation. The evidence, as given by the young people and the old colliers themselves, of their sufferings, is absolutely piteous. In North Wales, in many of the mines, the roads are low and narrow, the air foul, the places of work dusty, dark, and damp, and the ventilation most imperfect. In South Wales, in many pits, the ventilation is grossly neglected, and the report complains of the quantity of carbonic acid gas, which produces the most injurious effects though not actually bad enough to prevent the people from working, So long as a candle will burn, the labour is continued. With respect to the mines in Glamorganshire and Pembrokeshire, the sub-commissioner states the ventilation to be most imperfect, and productive of diseases which have a manifest tendency to shorten life, as well as to abridge the number of years of useful labour on the part of the work-people. Sir, the next subject to which I shall request your attention, is the nature of the employment in these localities. Now, it appears that the practice prevails to a lamentable extent of making young persons and children of a tender age draw loads by means of the girdle and chain. This practice prevails generally in Shropshire, in Derbyshire, in the West Riding of Yorkshire, in Lancashire, in Cheshire, in the east of Scotland, in North and South Wales, and in South Gloucestershire. The child, it appears, a girdle bound round its waist, to which is attached a chain, which passes under the legs, and is attached to the cart. The child is obliged to pass on all fours, and the chain passes under what, therefore, in that posture, might be called the hind legs; and thus they have to pass through avenues not so good as a common sewer, quite as wet, and oftentimes more contracted. This kind of labour they have to continue during several hours, in a temperature described as perfectly intolerable. By the testimony of the people themselves, it appears that the labour is exceedingly severe; that the girdle blisters their sides and causes great pain.

> "Sir," (says an old miner) "I can only say what the mothers say, it is barbarity—absolute barbarity."

Robert North says,

> "I went into the pit at seven years of age. When I drew by the girdle and chain, the skin was broken, and the blood ran down. If we said anything, they would beat us. I have seen many draw at six. They must do it or be beat. They cannot straighten their backs during the day. I have sometimes pulled till my hips have hurt me so that I have not known what to do with myself."

In the West Riding, it appears, girls are almost universally employed as trappers and hurriers, in common with boys. The girls are of all ages, from seven to twenty-one. They commonly work quite naked down to the waist, and are dressed—as far as they are dressed at all—in a loose pair of trowsers. These are seldom whole on either sex. In many of the collieries the adult colliers, whom these girls serve, work perfectly naked. Near Huddersfield, the sub-commissioner examined a female child. He says,

> "I could not have believed that I should have found human nature so degraded. Mr. Holroyd, and Mr. Brook, a surgeon, confessed, that although living within a few miles, they could not have believed that such a system of unchristian cruelty could have existed."

Speaking of one of the girls, he says

> "She stood shivering before me from cold. The rug that hung about her waist was as black as coal, and saturated with water, the drippings of the roof." "In a pit near New Mills," (says the sub-commissioner) "the chain passing high up between the legs of two girls, had worn large holes in their trowsers. Any sight more disgustingly indecent or revolting can scarcely be imagined than these girls at work. No brothel can beat it."

Sir, it would be impossible to enlarge upon all these points; the evidence is most abundant, and the selection very difficult. I will, however, observe that nothing can be more graphic, nothing can be more touching, than the evidence of many of these poor girls themselves. Insulted, oppressed, and even corrupted, they exhibit, not unfrequently, a simplicity and a kindness that render tenfold more heart-rending the folly and cruelty of that system that has forced away these young persons, destined, in God's providence, to holier and happier duties, to occupations so unsuited, so harsh, and so degrading. Now, Sir, it appears that they drag these heavy weights some 12,000 yards, some 14,000, and some 16,000 yards daily.

> "In the east of Scotland," (says the commissioner) "the persons employed in coal-bearing are almost always girls and women. They carry coal on their backs on unrailed roads, with burdens varying from ¾ cwt. to 3 cwt.,—a cruel slaving," (says the sub-commissioner), "revolting to humanity. I found a little girl," (says he) "only six years old, carrying ½ a cwt., and making regularly fourteen long journeys a-day. With a burden varying from 1 cwt. to 1½ cwt., the height ascended and the distance along the roads, added together, exceeded in each journey, the height of St. Paul's Cathedral."

Thus we find a child of six years old, with a burden of at least ½ cwt., making fourteen times a-day a journey equal in distance to the height of St Paul's Cathedral. The commissioner goes on:—

> "And it not unfrequently happens that the tugs break, and the load falls upon those females who are following," (who are, of course, struck off the ladders into the depths below.) "However incredible it may be, yet I have taken," (he adds) the evidence of fathers who have ruptured themselves by straining to lift coal on their children's backs."

But, Sir, if this is bad for the children and young persons, the case is far worse for pregnant women. For them it is horrible. I will quote the evidence of one woman who deposes to her own sufferings; and let me here observe, that the evidence of the workpeople themselves is worth more than all the rest; for they know what they suffer, and what the consequences are. I can say for them that I have ever found their statements more accurate, and that I have never met with attempts to mislead in the evidence given by working men of their own condition. To return, however, to the situation of the women in a state of pregnancy.

"I have a belt round my waist," (says Betty Harris)] "and a chain passing between my legs, and I go on my hands and feet. The road is very steep, and we have to hold by a rope, and where there is no rope, by anything that we can catch hold of. It is very hard work for a woman. . . . The pit is very wet. I have seen water up to my thighs. . . . My clothes are wet through almost all day long. . . . I have drawn till I have had the skin off me. The belt and chain is worse when we are in the family way." "A woman has gone home," (says another) "taken to her bed, been delivered of a child, and gone to work again under the week." "I have had," (says a witness) "three or four children born the same day that I have been at work, and have gone back to my work nine or ten days after: four out of eight were still-born." (There is further evidence to the same effect: — "The oppression of coal-bearing) says Ellspee Thompson, "is such as to injure women in after-life, and few exist whose legs are not injured, or haunches, before they are thirty years of age." "Jane Watson had two dead children; thinks it was so from the oppressive work. A vast number of women have dead children, and false births, which is worse; they are not able to work after the latter. I have always been obliged to work below till forced to go home to bear the bairn, and so have all the other women. We return as soon as able—never longer than ten or twelve days; many less, if they are much needed. It is only horsework, and ruins the women; it crushes their haunches, bends their ankles, and makes them old women at forty." (Another poor girl says,) "We are worse off than horses: they draw on iron rails, and we on flat floors."

Another witness, a most excellent old Scotchwoman, Isabell Hogg, says,

"From the great sore labour, false births are frequent, and very dangerous. . . Collier people suffer much more than others. You must just tell the Queen Victoria that we are quiet, loyal subjects; women-people here don't mind work; but they object to horse-work; and that she would have the blessings of all the Scotch coal-women if she would get them out of the pits, and send them to other labour."

Well, Sir, and I say so too. And she would have the blessing not only of all the Scotchwomen, but of every woman who has the least feeling of the sex within her, and of every man too who has ever known what it is to have a wife or a mother. The next point to which I would call the attention of the House is as to the hours of work and the physical effects on the workpeople.

"When workpeople are in full employment," (says the Report) "the regular hours of work for children and young persons are rarely less than eleven; more often they are twelve; in some districts they are thirteen. In Derbyshire, children, &c., work sixteen hours out of the twenty-four, reckoning from the time they leave their home in the morning until they return to it in the evening." As regards the east of Scotland, there is "overwhelming evidence that the labour is often continued, on alternate days, at least, fifteen, sixteen, seventeen, and eighteen hours out of the twenty-four."

Anne Hamilton, seventeen years old, says:—

"I have repeatedly wrought the twenty-four hours, and after two hours of rest and my peas (soup), have returned to the pit and worked another twelve hours." "Now, in the great majority of these mines night-work is a part of the ordinary system of labour—one which the whole body of the evidence shows to act most injuriously both on the physical and moral condition of the work-people, and more especially on that of the children and young persons." "Though the labour," (says the Report), "cannot be said to be continuous, because intervals of a few minutes necessarily occur . . . . it is, nevertheless, generally uninterrupted by any regular time set apart for rest and refreshment, what food is taken in the pit being eaten as best it may while the labour continues."

But in the coal mines of Ireland a fixed time is allowed, at least for dinner. Here, too, I am glad to be able to repeat that a different system prevails in the sister island. Now, with regard to the physical effects of the labour on the workpeople, it appears that in some parts of the country a curious effect is produced by the results of this species of labour not being discernible, in many cases, until a certain period of life. On this head the Report says:—

"With the exception of the east of Scotland (of which the account is deplorable), the physical condition of persons employed (so long as they can pursue their labour) derives a favourable character from the advantages of high wages, yet the testimony," (it continues,) "is equally full that the nature and circumstances entail ultimately grievous diseases."

This is confirmed by the evidence of the children themselves as to the effect upon their own health; and the Sunday-school teachers depose to the extreme fatigue which the few who do attend the school exhibit when they go on the Sunday. Mr. William Sharpe, F. R. S., a surgeon at Bradford,—

"Has for twenty years professionally attended the Low Moor Iron-works: there are cases of deformity, and also bad cases of scrofula apparent, induced by boys being sent too early into the pits, by their working beyond their strength, by the constant stooping, and by occasionally working in water."

The chief employment of children and young persons in North Durham and Northumberland, that of "putting," is very severe—great numbers of the younger children are often completely exhausted by the labour, while those more advanced in years say that it deprives them of appetite and produces a constant feeling of sickness.

"The youngest of the putters are greatly to be commiserated; many of them declared," (says the sub-commissioner), "that the severity of their labour was such that they would willingly suffer a diminution of wages to procure a limit to the hours of work."

But notwithstanding all this, the coal-fields of the North stand out in almost every respect in a very favourable contrast with the other districts. But the east of Scotland beats all. From the tender age and sex of the great proportion of the workpeople, the long hours of work, the wretched condition of the pits, the meagre and unsubstantial food, the degree of fatigue produced by colliery-work, the labour in this district is extreme. The evidence of the children is intolerably distressing. Agnes Kew, fifteen years old, says:—

"It is sore crushing work; many lasses cry as they bring up their burdens."

Again, another says:—

"It is sare fatiguing work; it maims the women."

In another place, Mr. T. Batten, surgeon of Coleford, says:—

"Has known cases of nervous relaxation in young boys. Had one case of epilepsy in a boy about thirteen, brought on by too much exertion. Another boy died of hæmorrhagia purpurea, from the same cause. The boy was not more than seven years of age."

There is one phenomenon very remarkable in the physical condition of the miners, which is seen in their extensive muscular development: at first it was supposed that an employment, which produced such a result, could not be essentially prejudicial; but those well acquainted with the subject pronounce this development to be unnatural, and therefore injurious. Now, Sir, the physical effects of this system of labour may be classed under these heads. Stunted growth, crippled gait, irritation of head, back, and feet, a variety of diseases, premature old age, and death.

"Several," (says Dr. Scott Allison), "become crooked. Diseases of the spine are very common and very serious. Several of the girls and women so employed are distorted in the spine and pelvis, and suffer considerable difficulty at the period of the parturition." (Diseases of the heart are very frequent, say all the medical witnesses):—"Many are ruptured, even lads, from over exertion; some are ruptured on both sides." (But the most destructive and frequent disease is asthma.) "Some are affected at seven or eight years of age. Most colliers at the age of thirty become asthmatic."

Dr. Scott Allison adds—

"Between the twentieth and thirtieth year many colliers decline in bodily vigour, and become more and more spare. . . . . . . At first, and, indeed, for several years, the patient, for the most part, does not suffer in his general health; but the disease is rarely, if ever, cured. . . . . . It ultimately deprives him of life by a slow and lingering process."

"The want of proper ventilation," (says an old miner), "is the chief cause; the men die off like rotten sheep."

There is another most curious disease, of which the House now hears perhaps for the first time. It is the melanosis, or black spittle. From the state of the atmosphere in which the people work, there is oftentimes not sufficient oxygen to decarbonize the blood, and Dr. Thompson, of Edinburgh, says—

"Workmen in coal-mines occasionally die of an affection of the lungs, accompanied with the expectoration of a large quantity of matter of a deep black colour."

Dr. Makellar calls it

"The most serious and fatal disease which he had had to treat among colliers—a carbonaceous infiltration in the substance of the lungs."

Dr. Scott Allison says—

"The symptoms are emaciation of the whole body, constant shortness and quickness of breath, occasional stitches in the sides, quick pulse, usually upwards of 100 in the minute, hacking cough day and night, attended by a copious expectoration, for the most part perfectly black. The disease is never cured. It invariably ends in the death of the sufferer."

Who, then, can be surprised that the consequences are premature old age and death? Not only, however, is the death of the collier premature, but so is the exhaustion of his strength: he is early deprived of the power of earning a livelihood. Mr. Massey, clerk to the Wellington Union, says—

"That when about forty years of age, the greater part of the colliers may be considered as disabled and regular old men."

The evidence, in this respect, is universal. In the east of Scotland the system is thus spoken of by the sub-commissioner:—

"Its baneful effect on the health cannot well be exaggerated. I have been informed by competent authorities, that six months' labour in the mines is sufficient to effect a very visible change in the physical condition of the children."

The rev. Richard Buckly, rector of Begelly, says—

"The foul air of the mines seriously affects the lungs of the children and young persons employed therein, and shortens the term of life;"

And here is a summary of the condition of the collier by the commissioners:—

"By the same causes the seeds of painful and mortal diseases are very often sown in childhood and youth: these slowly but steadily developing themselves, assume a formidable character between the ages of thirty and forty; and each generation of this class of the population is commonly extinct soon after fifty."

No doubt exceptions might be quoted to these results, but I am only speaking of the great mass of persons employed in the collieries. Now, Sir, the moral effects of the state of things which the collieries present are equally prominent and equally alarming. It might be assumed without proof, but I shall state a few cases in order to exhibit those effects to the House and the country, and to show how necessary it is, immediately, if possible, to address ourselves to the evil. A clergyman, the rev. W. Parlane, of Tranent, says:—

"Children of amiable temper and conduct, at seven years of age, often return next season from the collieries greatly corrupted, and, as an old teacher says, with most hellish dispositions."

See, too, here, how the system superinduces habits and feelings of ferocity that are perfectly alarming. Hannah Neale says,—

"My boy, ten years old, was at work: about half a year since his toe was cut off by the bind falling; notwithstanding this, the loader made him work until the end of the day, although in the greatest pain."

Isaac Tipstone says;—

"I was bullied by a man to do what was beyond my strength. I would not, because I could not. The man threw me down, and kicked out two of my ribs."

Jonathan Watts says:—

"A butty has beaten a boy with a stick till he fell. He then stamped on him till the boy could scarcely stand. The boy never told, and said he would not, for he should only be served worse. Boys are pulled up and down by the ears. I have seen them beaten till the blood has flowed out of their sides. They are often punished until they can scarcely stand."

John Bostock, speaking of Derbyshire, says:—

"The corporals used to take the burning candle-wicks after the tallow was off, light them, and burn his arms. I have known my uncle take a boy by the ears, and knock his head against the wall, because his eyesight was bad, and he could not see to do his work as well as others."

From the south part of the West Riding, and about Bradford and Leeds, the accounts are more favourable; but about Halifax girls are beaten as severely as boys. They strike them in the face and knock them down.

"I have seen this many times," (says a witness).

Harriet Craven, aged eleven, says:—

"A man flung a piece of coal as big as my head at me, and it struck me in my back." "I met," (says the sub-commissioner), "the girl crying bitterly. The several marks on her person and that of her sister were sufficient proofs of ill-treatment." "I remember meeting," (he adds), "one of the boys crying very bitterly, and bleeding from a wound in the cheek. I found his master, who told me, in a tone of savage defiance, that the child was one of the slow ones, who would only move when he saw blood, and that by throwing a piece of coal at him he had accomplished his purpose, and that he had often adopted the like means."

William Holt says:—

"I have seen boys get an eye knocked out by a stone flung at them by the master."

No doubt there are many exceptions to this state of things; but I am sorry to say that colliers are generally spoken of and known in many places as remarkably uneducated and ferocious. Their habits besides beget an utter recklessness of human life: in no part of the habitable globe, perhaps, is there such utter indifference displayed towards the life and limbs of human beings as in these collieries. The chief constable of Oldham says:—

"There are so many killed, that it becomes quite customary to expect such things, and people say, 'Oh, it is only a collier?' There would'" (he said), "be more feeling exhibited if a policeman were to kill a dog in the streets. Even the colliers amongst themselves say so; so that when they learn which it is that is killed, that is all they think about it."

But now mark the effect of the system on women: it causes a total ignorance of all domestic duties; they know nothing that they ought to know; they are rendered unfit for the duties of women by overwork, and become utterly demoralized. In the male the moral effects of the system are very sad, but in the female they are infinitely worse, not alone upon themselves, but upon their families, upon society, and, I may add, upon the country itself. It is bad enough if you corrupt the man, but if you corrupt the woman, you poison the waters of life at the very fountain. Sir, it appears that they are wholly disqualified from even learning how to discharge the duties of wife and mother. Matthew Lindley, a collier, says:—

"I wish the Government would expel all females from mines; they are very immoral; they are worse than the men, and use far more indecent language."

George Armitage says—

"Nothing can be worse."

At a meeting of 350 working-colliers, in Barnsley, it was voted with only five dissentients, that—

"The employment of girls in pits is highly injurious to their morals; that it is improper work for females; and that it is a scandalous practice."

Indeed, it universally appears that—

"Wherever girls are employed, the immoralities are scandalous."

The rev. Richard Roberts says—

"The practice of working females in mines is highly objectionable, physically, intellectually, morally, and spiritually."

"It is awfully demoralizing," says Mr. Thornely, a justice of the peace for the county of York: "the youth of both sexes work often in a naked state."

The Sub-commissioner for the East of Scotland says—

"The employment of females in this district is universally conceived to be so degrading, that all other classes of operatives refuse intermarriage with the daughters of colliers who work in the pits."

Joseph Frazer, a collier, says—

"The employment unfits them for the duties of a mother: the men drink hard, the poor bairns are neglected; in fine, the women follow the men, and drink hard also."

"Under no conceivable circumstances," (says the sub-commissioner), "is any one sort of employment in collieries proper for females, the practice is flagrantly disgraceful to a Christian, as to a civilized country. I have scarcely an exception to the general reprobation of this revolting abomination."

"I am decidedly of opinion," says Mr. Thornely, "that women brought up in this way lay aside all modesty, and scarcely know what it is but by name. I sincerely trust that before I die I shall have the satisfaction of seeing it prevented, and entirely done away with."

Now, Sir, I know that the commissioners have not, by any means, told the worst of the story. They could not, in fact, commit to print for general circulation all the facts and circumstances that had come to their knowledge in connection with this system; but surely it does not require any very vigorous imagination on the part of those who have read or heard these statements, to draw from them conclusions which will show a state of things which is not only disgraceful, but most perilous to the welfare of the country. Now, Sir, to remove or even to mitigate, these sad evils requires the vigorous and immediate interposition of the Legislature. That interposition is demanded by public reason, by public virtue, by the public honour, by the public character, and I rejoice to add by the public sympathy; for never, I believe, since the first disclosure of the horrors of the African slave-trade, has there existed so universal a feeling on any one subject in this country, as that which now pervades the length and breadth of the land in abhorrence and disgust of this monstrous oppression. It is demanded, moreover, I am happy to say, by many well-intentioned and honest proprietors—men who are anxious to see those ameliorations introduced which, owing to long-established prejudices, they have themselves been unable to effect. From letters and private communications which I have received on the subject, I know that they will hail with the greatest joy such a bill as I shall presently ask leave to introduce. In that bill I propose, in the first place, and at once, to cut off the principal evils. Much, no doubt, may be left for future legislation; but there are some of the evils of so hideous a nature, that they will not admit of delay —they must be instantly removed—evils that are both disgusting and intolerable —disgusting they would be in a heathen country, and perfectly intolerable they are in one that professes to call itself

Christian. The first provision, then, which I shall propose will be the total exclusion of all females from the mines and collieries of this country. I think that every principle of religion—I think that every law of nature calls for such a step; and I know of no argument that can be raised against it, unless one of a most unworthy and of a completely selfish character. I believe, indeed, there are but a very few proprietors who have any real interest in keeping women so employed; but there are some interested parties who wish to retain females in the pits, and I am anxious to state to the House and the country what the motives are for inducing or compelling those wretched females to undergo the shameful toil and degradation to which they are subjected. I will take the evidence of the working people themselves one of whom says—

"Girls and women never get coal; they always remain drawers, and are considered to be equal to half a man."

Another collier says—

"They prefer women to boys, as they are easier to manage, and they never get to be coal-getters, which is another good thing."

Another witness says—

"The temptation to employ women arises from their wages, being lower than that of males."

The underlooker at Mr. Woodley's states—

"One reason why women are used so frequently in the coal-pits is, that a girl of twenty will work for 2*s.* a day, or less, and a man of that age would want 3*s.* 6*d.* It makes little difference to the coal-master; he pays the same whoever does the work. Some would say he got his coal cheaper, but I am not of that opinion; the only difference is, that the collier can spend 1*s.* to 1*s.* 6*d.* more at the alehouse."

Another remarks:—

"When a lad gets to be half, he is all for getting coal; but a lass never expects to be a coal-getter, and that keeps her steady to her work."

Now, Sir, estimate the benefits of removal, by merely observing the effect of the evil. There is no economy in the practice, for Ellspee Thompson says:—

"I can say, to my own cost, that the bairns are much neglected when both parents work below; and if neighbours keep the children, they require as much as women sometimes earn, and yet neglect them."

Mr. M. T. Sadler, a surgeon at Barnsley, says:—

"I strongly disapprove of females being in pits; the female character is totally destroyed by it; their habits and feelings are altogether different; they can neither discharge the duty of wives nor mothers. I see the greatest difference in the homes of those colliers whose wives do not go into the pits."

Mr. Wood, the sub-commissioner says:

"The result of my inquiries is in every case to show, that the employment of female children and young persons in such labour, shuts them out entirely from all useful and necessary knowledge; the wives are so little capable of rendering a house comfortable, that the husband is constantly driven to the alehouse, whence arise all the evils of drunkenness to themselves and to their families. From this source, a fearful deterioration of the moral and physical condition of our working population is rapidly taking place."

Now, I rejoice to say, that in this matter, we are not left to mere speculation, for we have the evidence of Mr. James Wright, manager for the Duke of Buccleuch, and I have his Grace's authority for adding, a most intelligent and honest man. He says:—

"Four years ago, I superintended Mr. Ramsay's mines; females and young children were excluded, and a vast change was observable in the comfort and condition of the colliers, who availed themselves of the new regulations."

He goes on:—

"Some families left at the period, being desirous to avail themselves of the labour of their female children, many of whom have returned, and the colliers are much more regular than heretofore."

This evidence is confirmed by Thomas Hynd, coal-viewer in Mr. Dundas's pits, who says:—

"When Mr. Maxton first issued the order, many men and families left, but many have returned, for they find, now the roads are improved, and the out-put not limited, they can earn as much money, and get homes. Many of the females have gone to service, and prefer it."

Again, Mr. James Wright says—and here I am very anxious for the attention of the House, because I would entreat them to observe how the mischief is first engendered, and then perpetuated, by the toleration of these practices. Women are allowed to work below, and because they are so, the evils here stated, continue without abatement: a man would complain and resist, but a woman is submissive—

> "I feel confident (he says) that the exclusion of females will advantage the colliers in a physical point of view, inasmuch as the males will not work on bad roads (females are wrought only where no man can be induced to draw or work; they are mere beasts of burden). This will force the alteration of the economy of the mines."

Pray, Sir, observe what follows:—

> "Owners will be compelled to alter their system; they will ventilate better, and make better roads, and so change the system, as to enable men, who now work only two days a-week, to discover their own interest in regularly employing themselves."

Mr, Maxton, of Arniston, and Mr. Hunter, the mining overman, asserts:—

> "That in consequence of a new ventilation, and an improved mode of railing roads, a man and two boys take nearly as much money as when the whole family were below, and many of the daughters of miners are now at respectable service."

Mr. Maxton, of Arniston, again contends that—

> "Women ought to be entirely disused under-ground; and no boys ought to be permitted to go below under twelve years of age. These have been the rules in this colliery for some time past, and already the good effects are being felt; the houses of the workmen are clean and comfortable, the children are well looked after by their mothers, the young women are going out to service, and the whole work-people have a better moral aspect. Colliers prior to our regulation emigrated in the proportion of one fourth; but now not in that of one-tenth."

This is very important testimony, for the colliers, I understand, are people of very migratory habits; and now, Sir, listen to this as a crowning point. Mr. James Wright concludes:—

> "Since young children and females have been excluded from his Grace's mines, we never had occasion to increase the price of coal."

All this is confirmed hy the experience of Mr. Hulton, of Hulton, who has, for twenty-five years been in occupation of coal-pits. That gentleman has been kind enough to write to me, and has exhibited a most striking contrast in the state of the population of his mines, with that of the surrounding districts. The next point to which I wish to call attention, is the exclusion of all boys under thirteen years of age; and this I confess may be looked upon as my weak point, for here I am likely to find the greatest opposition. I shall, however, briefly state to the House the reasons why I think it necessary to limit the admission of children into the pits to those who have arrived at the age of thirteen. In the first place, the Factory Act prohibits full labour under thirteen years of age: in the next place, in the cotton and wool districts frequent complaints have been made of a deficiency of young persons, who, it is alleged, are called off to the print-works and coal-mines, where labour is not regulated by law. It is therefore contended that an undue advantage is thus given to these departments of industry, to the prejudice of those of wool and cotton. Now, I am extremely anxious to bring them all to this one level; and if my proposition be adopted, a due supply of children under thirteen years of age will be obtained from the coal-pits, and the proprietors of wool and cotton mills, as they themselves have alleged, will be enabled to have two complete sets of workers, the demand for children under thirteen years of age being thus supplied to work in two relays of six hours in the day each (though I should myself prefer five), according to the provisions of the bill introduced, but not carried, in the last Session. Indeed, almost all the evidence goes to show that fourteen years of age would be the proper limit required for full labour. My own feelings, I must say, lead me to that opinion; but as thirteen is the age stated in the Factory Act, I am not disposed to deviate from it. If a child once goes down into a pit, he must remain in it. All who go down must work full time, and, if required, throughout the night. As for subterranean inspection, it is altogether impossible; and, indeed, if it were possible, it would not be safe. I do not know what the case may be twenty-five years hence, but certainly, at the present time, I for one should be very loth to go down the shafts for the purpose of doing some act that was likely to be distasteful to the colliers below. Nor are we without evidence as to the hazard of such proceedings. Dr. Mitchell says:—

> "Cases have occurred where diabolical characters have deranged the gear during the night;....and in consequence, the first party descending has been dashed to pieces."

In these mines, too, the House must

recollect, the miners have a morality and a policy of their own.

> "It is well known," (says Dr. Mitchell,) "that persons who have done actions not deemed very heinous by the miners, have taken shelter in the mines;" (and he adds,) "there are few constables who would willingly go down after them."

But I urge most strongly that children are, in many cases, left altogether in these pits to the butties and overlookers, and that it is in their power to treat them as they please. There is abundant evidence, too, to show that the children never dare complain of the ill-usage they receive, Punishments may be prohibited by the masters, as in many cases they are; but. as one of the Commissioners very truly remarks, these people work alone, in secluded places, at great distances from each other, and they are consequently enabled to inflict any punishment they please almost without notice. Nor is there, I contend, any necessity for employing children in such offices. One witness says;—

> "Coal-work is at best of an o'er sair kind, and few lads can acquire the knowledge of 'heaving,' or have good strength to 'put,' till fourteen years of age. Colliers frequently exhaust themselves, and if regular they would not need the assistance of such quantities of infant labour."

Indeed, the very custom of taking those children into the mines had its origin in vice. The habits of irregularity and intoxication common among miners are the cause of it, and unhappily, from the system which prevails, those habits are transmitted from father to son. We have it in evidence that many of the miners work eight or nine days only in a fortnight, earn some money, and then spend the rest of their time, until those earnings are exhausted, in drinking, cock-fighting, and gambling. They then have to work again to make up for lost time; and thus it happens that they take down their wives and children into the pits with them, and make that cruel demand on female and infantile labour, which would be wholly unnecessary were they steady to their work and decently frugal in their habits. But take away the power of permitting young children to work in the pits; put an end at once to this abuse—this monstrous and shameful abuse—and, depend upon it, they will soon attain their legitimate ends in an honest way. The next point to which I desire to draw the attention of the House is to the necessity of making a provision, that no person shall be employed in charge of an engine or an engine-house who is under the age of twenty-one years. The whole subject of accidents in coal-pits has been under the investigation of this House, and has been reported on, yet nothing has been done; but I am sure that we must speedily direct our attention to this subject, if we wish to save many heads of families for the service of their country, and many families of children from destitution and the poorhouse. Now, the frequency of their occurrence is fully proved and their cause is also elaborately detailed in the evidence. To give only one statement: Dr. Mitchell says,—

> "The accidents which occur in the mining districts of South Staffordshire are numerous, and, to judge from the conversation which one constantly hears, we might consider the whole population as engaged in a campaign."

But my proposition will be limited to a single point. In many districts it is common to draw up the miners and let them down again into the pits in baskets worked by engines. The engines are put up in small buildings near the mouth of the shaft; and those engines are frequently left in the charge of children, twelve, eleven, and even nine years of age. The testimony is uniform and universal as to this shameful neglect in the districts where it prevails. One witness says,—

> "It is common in Derbyshire, as elsewhere, to employ very young children as engineers to let down and draw up the workpeople. I have met with children only ten years old having the lives of colliers left to their mercy, and have seen others so inattentive to their duty as to let the corve be drawn over the pulley, and half a ton of coals be thrown down the shaft."

These children draw up or let down six at a time. The accidents resulting from the practice are innumerable. One of the witnesses, a miner, says,—

> "The worst thing that has ever been brought about against the colliers is in the masters employing little bits of lads as engineers. Until a man has come to maturity of age, and to know the value of a man's life, he is not to be trusted with the management of an engine."

That is a very just and sensible remark, from an experienced working-man, and one to which I hope the House will pay attention. But just hear what is said by Mr. Wilde, the chief constable of Oldham—and I call more particular notice to his statements, because it is Mr. Wilde's duty to collect evidence for the coroner's inquests.

"It is," (he says,) "a general system here to employ mere children to attend these engines and to stop them at a proper moment; and if they be not stopped, the two, or three, or four, or five persons wound up together are thrown over the beam down into the pit again. There have been people wound over at Oldham-edge, at Wernertho, at Chamber-lane, at Robin-hill, at Oldbottom, and on Union-ground here, within the last six or seven years."

And he adds,—

"I do not know a case in which children were not the engineers. Three or four boys were killed in this way at the Chamber-lane Colliery by the momentary neglect of a little boy, who, I think, was only nine years of age; and who had turned away from the engine when it was winding up, on his attention being attracted by a mouse on the hearth."

But the witnesses who have given evidence on this point also hesitate not to state the motive which induces the employment of those children. They say, and with great truth,

"If the masters can get such a duty discharged by a boy, to whom they give *5s.* or *7s.* a week, it is so much gained to them upon the wages of a man, whom they ought to employ."

I think the House will concur with me, therefore, in thinking that the Legislature may well interfere to check the great cause of these lamentable results, by putting an interdict upon the practice of employing young children in such responsible occupations. And now, Mr. Speaker, the fourth and last point to which I would call attention is one on which I trust every Member of this House will have as strong a feeling of indignation as that which animates myself. I speak now of the practice of assigning boys as apprentices to the butty colliers; and I do not hesitate to say that anything more enormous was never brought under the notice of the Legislative assembly of a free country. The districts in which this system of apprenticeships is most common are South Staffordshire, Yorkshire, Lancashire, and the west of Scotland.

"In South Staffordshire," (says the sub-commissioner,) "the number of children or young persons as apprentices is exceedingly numerous: these apprentices are paupers or orphans, and are wholly in the power of the butties. Such is the demand for this class of children, that there are scarcely any boys in the Union workhouses. These boys are sent on trial between eight and nine; and at nine are bound for twelve years, that is, to the age of twenty-one years complete."

Now, Sir, was there ever such a thing?

"There are probably," (says Mr. William Grove,) "300 apprentices belonging to the collieries in this town of Bilston. One man has now five in his house."

Just see what an abominable system this is. Ask yourselves whether any state of slavery is worse. Take what I am now going to read to you as a sample:—

"Many of the colliers," (says the sub-commissioner,) "take two or three apprentices at a time, supporting themselves and families out of their labour."

Mark this: he is idle himself, and lives on the toil of these wretched creatures.

"As soon as either of them is old enough, he is made a getter, and is then worth from *10s.* to *15s.* a week. At the age of fourteen the apprentice works side by side with other lads, who are getting *14s.* a week (he himself getting nothing): at seventeen or eighteen, side by side with freemen, who may go where they please, and are earning *20s.* or *25s.*"

"The orphan," (says the sub-commissioners,) whom necessity has driven into the workhouse, is made to labour in the mines until the age of twenty-one, solely for the benefit of another."

Not a penny may he earn for himself, not a step may he take without the permission of another. And is this system of apprenticeship necessary? It is given in evidence that there is nothing to be learned that might not be acquired in ten days. Dr. Mitchell says:—

"Notwithstanding this long apprenticeship, there is nothing whatever in the coal-mine to learn beyond a little dexterity, readily acquired by short practice. Even in the mines of Cornwall, where much skill and judgment are required, there are no apprentices."

Then, Sir, see the treatment to which these unfortunate lads are subjected, placed as they are completely in the power of these men, in seclusion and darkness, afraid to appeal, utterly defenceless, without friends or protectors of any sort. Just see the horrid power exercised by these men. I will read to you some excellent testimony, that of Mr. Baylis, agent to Mr. Lonsdale. Mr. Baylis says:—

"The men will send a boy where they do not go themselves, and some have their limbs broken and others lose their lives."

Mark the cowardice of the deed.

"Some parishes will not let the butties have their pauper children. Butties get apprentices, and send their own children to learn other trades: the apprentices have not a holiday, if there be one, or means of employing them;—it is the apprentices who are sent to mind the steam-engine, and pump up water on Sundays."

They are not even allowed the rest of the Sunday.

"It is the apprentices who on that day clean the boilers."

Mr. Ellison, a master manufacturer in the West Riding of Yorkshire, gives similar testimony:—

"When the colliers," (says he,) "are in need of hurriers, they apply to the Poor-law guardians for pauper children. I have been," (says he,) "a guardian myself, and know it to be the fact. They cannot get them elsewhere, on account of the severity of the labour and the treatment hurriers experience."

But I will now go to the detail of cases of individual oppression, and will quote, in the first instance, the evidence given by two boys, Thomas Moorhouse and Henry Gibson. Thomas Moorhouse said,

"'My master served me very bad; he stuck a pick into me twice.' [Here (says the Sub-Commissioner) I made the boy strip, and found a large cicatrix, likely to have been occasioned by such an instrument, which must have passed through the glutei muscles, and have stopped only short of the hip joint: there were twenty other wounds occasioned by hurrying in low workings.]"

Henry Gibson (Wigan) said,

"There is a lad called Jonathan Dicks, from St. Helen's workhouse; he gets thrashed very ill. I saw his master beat him with a pickaxe on his legs and arms, and his master cut a great gash in his head with a blow of a pickaxe.',

I now come to another case, to which I am particularly anxious to call the attention of the House, because I believe it to be a case of unparalleled brutality, and because I directed the attention of the Government to the circumstances at the time they occurred. I saw this case stated in the newspapers more than a year ago, and it appeared to me that the magistrates, under whose attention it had been brought, had awarded a very small punishment for a very great misdemeanour. I immediately went to the Home Secretary, and expressed my fears that it was too late to take any steps upon the case, adding at the same time, however, that it was a matter in which, perhaps, he might think it right to show that official vigilance was alive to such conduct. My noble Friend, with that courtesy and kindness which I ever experienced at his hands, instantly made inquiry; and afterwards informed me that the facts, as I had represented them, were not only substantiated, but actually correct. I now find the case detailed at length in the Appendix to the Report; and I must entreat the House to allow me to state it at full length. It is the case of

"Edmund Kershaw, who (says the sub-commissioner) was apprenticed by the overseers of Castleton to a collier near Rooley-Moor. Mr. Milner (the surgeon) examined this boy, and found on his body from twenty-four to twenty-six wounds. His back and loins were beaten to a jelly; his head, which was almost cleared of hair on the scalp, had the marks of many old wounds.... One of the bones in one arm was broken below the elbow, and seemed to have been so for some time. The boy, on being brought before the magistrate, was unable to sit or stand, and was placed on the floor in the office. It appeared that the boy's arm had been broken by a blow with an iron rail, and the fracture had never been set, and that he had been kept at work for several weeks with his arm in that condition. It was admitted" what an admission! "by the master, that he had been in the habit of beating the boy with a flat piece of wood, in which a nail was driven, and projected about half an inch. The blows had been inflicted with such violence that they had penetrated the skin, and caused the wounds described by Mr. Milner."

Now was not this enough for one poor child, at least? Not at all so;

"The boy had been starved for want of food, and his body presented all the marks of emaciation. This brutal master had kept him at work as a waggoner until he was no longer of any use, and then sent him home in a cart to his mother, who was a poor widow residing in Rochdale."

Well might all the charter-masters in Shropshire speak of the system with horror, and say it was as bad as the African slave-trade. For my part, I think it quite as bad, if not worse; for, at any rate, slaves have the advantage of working in the night of the open day, besides that they may possess, sometimes, the alleviations of a domestic, if not a happy condition. But now, I ask, what is to be said of such a system as this? These wretched apprentices have committed no crime, and even if they had so, they would not deserve to meet with such a punishment. Only a few days ago I went over the new prison at Pentonville. Never have I seen such preparations as are there made for securing a proper degree of comfort to the prisoner. Such care for light, such care for ventilation, such care that every necessary requirement of the prisoner should be furnished. He is to have books, tools, instruction—to hear the human voice at least fourteen times a day. Sir, I find no fault with that; but bear in mind that all this is done for persons who have forfeited their liberty by the laws of their country; but here you have a number of poor children, whose only crime is that they are poor, and who are sent down to these horrid dens, subjected to every privation, and every variety of brutal treatment, and on whom you inflict even a worse curse than this—the curse of dark and perpetual ignorance. Ignorant such people must be; for, from the time you take them down the shaft of the pit, not one hour have they of their own to learn their duty either to their fellow-man or to their Almighty Maker. And here I tell you that this matter nearly affects yourselves. It affects you as the makers of laws—laws which you enact in order that they may meet with obedience and respect. You are anxious to enforce these laws—You are anxious to enforce, for instance, the New Poor-law. I say nothing now as to the wisdom, or otherwise, of that law, but surely it is wise to relax the rigour of your laws when such relaxation is just and safe. Where is the right to inflict a servitude like this? Is orphanism a crime? To maintain such a system would be not only oppression, but an insult (I say it advisedly) to the poorer classes: but they need not fear, for they will find, I can see, a defence in this House. Here is a case made out—meet that case fully and fairly. Do not only make laws to meet such cases in future, but endeavour to meet the first injustice also. Let apprenticeship be abolished on the spot; let every existing indenture be cancelled.

"Undo the heavy burdens, and let the oppressed go free."

And now, Sir, I will detain the House only a short time longer; for I know that I have already trespassed too much upon your attention. You will, however, I am sure, forgive me when you remember how long I have laboured in this cause, and how deeply I have it at heart. And now, Sir, is all this cruelty necessary? Cannot we attain our ends by any other means? You have seen not only how needless, but how wasteful and ruinous, to themselves and their families, is the employment of females in these severe and degrading occupations: you have seen how wasteful and ruinous is the employment of children of such tender years, when we not only deprive them of all means of education, but anticipate the efforts of that strength which should be reserved for the service and defence of a future generation. Sir, I am sure that under proper regulations the occupation itself may be rendered both healthy and happy: indeed, all the evidence goes to show that a little expense and a little care would obviate a large proportion of the mischiefs that prevail. No employments that are necessary to mankind are deadly to man but by man's own fault: when we go beyond, and enter on the path of luxury and sensual gratification, then begins the long and grim catalogue of pestilential occupations. And now, Sir, having endeavoured to state the case, may I occupy a few minutes to show that this present effort is not a desultory movement, but part of a large plan, wisely or unwisely conceived, for the social and moral improvement of the working classes. There are other reports to come, which will show a greater, a deeper, and, if I may use the term, a fiercer necessity for change of some kind. I had long observed the enormous toil of a large proportion of the community, and the total disemployment of the other—physically injurious to the one, and morally injurious to both. I thought I had a right to interpose in behalf of the children and young persons, to redress the balance, and to avert the mischief by shortening the hours of labour, and by that means to call into action those who were unemployed, and to afford some relief to those who were already overworked. This has been the limit of my exertions: I have never attempted to legislate for the adults, or interpose between master and man in the matter of wages. I have laboured to bring them within the reach of moral and religious education, knowing full well that they are the seeds of future generations of citizens; and that, in the progress of opinions and of things, there can be neither safety nor hope but by our becoming, under God's blessing, a wise and an understanding people. Sir, we can estimate our loss or acquisition of territory by geographical measurement; and so we can calculate in finance by increase or deficiency of revenue; but it is not easy to arrive at the moral statistics of a country. Many persons love to estimate the condition of a kingdom by its criminal tables; but surely these, Sir, exhibit very scantily the moral state of a people. A people may be in a frightful condition as citizens, and yet but few appear before the magistrate or infringe the laws:—why take such a picture as this? I use it to show that criminal statistics are only a symptom, and not the extent of the internal disorder. The paper which I hold in my hand is a statement taken from the Police Returns of Manchester, for one year, up to December 31, 1841, and in it I find the following:—

Taken into custody	13,345
Discharged by the magistrates ..	10,208
Of these, there were under twenty years of age	3,069
Including the females	745

Surely it would be unsound for the House to conclude that of the 13,345 taken into custody, the 10,000 discharged were perfectly innocent, immaculate in all the duties of private citizens. I do not, in general, set any great value on what are now called educational statistics; yet I cannot but observe, as a matter of curiosity, in how many of these persons one avenue to moral and intellectual improvement was absolutely closed up. Of the whole number, 6,971 could neither read nor write; 5,162 could read and write imperfectly; 220 only had superior instruction, which was, we may fairly conclude, of no very high character. Now, Sir, in the column which follows there are many sources of crime, of immorality, of utter degradation, fatal and wide-spreading, the results of which may never be seen before a commissioner of police or a judge of assize, and will therefore never be ascertained by a statistical return. I find within the limits of the borough of Manchester the number of

Pawnbrokers to be	129
Beer-houses	769
Public-houses	498
Brothels	309
Brothels lately suppressed	111
Brothels where prostitutes are kept	163
Houses of ill-fame where prostitutes resort	223
Street-walkers in the borough.. ..	763
Thieves known to reside in the borough, who do nothing but steal ..	212
Persons following some legal occupation, but who are known to have committed felony, and augment their gains by habitual violation of the law	160
Houses for receiving stolen goods ..	63
Houses suppressed lately	32
Houses for the resort of thieves ..	103
Houses lately suppressed	25
Lodging-houses where the sexes indiscriminately sleep together ..	109

Again, in the year ending September, 1840, there were confined in Durham gaol 141 pitmen; no very great number in respect of the population. Out of these, sixty-four were confined for breaking some small condition of their bond. No perfect picture, however, of the state of society among the mining people can be arrived at from this return. It will be much better collected from the evidence of Mrs. Goodger, the mistress of an infant-school in that district, who states, that

> "When she first came, oaths were exceedingly common in the mouths of girls of five and seven years old," and when reprimanded for their conduct, "they did not scruple to call her the most opprobrious names that could be imagined." The witness further declares, that "she thinks the bad language might be corrected by the parents, who, instead of doing this, frequently abuse her for punishing the children."

I hope, Sir, that the House will not consider that I am speaking dogmatically on these subjects: my intercourse with the working classes, both by correspondence and personal interview, has for many years been so extensive, that I think I may venture to say, that I am conversant with their feelings and habits, and can state their probable movements. I do not fear any violent or general outbreaks on the part of the population; there may be a few, but not more than will be easily repressed by the ordinary force of the country. But I do fear the progress of a cancer, a perilous, and if we much longer delay, an incurable cancer, which has seized upon the body, social, moral, and political; and then in some day, when there shall be required on the part of our people an unusual energy, an unprecedented effort of virtue and patriotism, the strength of the empire will be found prostrate, for the fatal disorder will have reached its vitals. There are, I well know, many other things to be done; but this, I must maintain, is an indispensable preliminary; for it is a mockery to talk of education to people who are engaged, as it were, in unceasing toil from their cradle to their grave. I have endeavoured for many years to attain this end by limiting the hours of labour, and so bringing the children and young persons within the reach of a moral and religious education. I have hitherto been disappointed, and I deeply regret it, because we are daily throwing away a noble material!—for, depend upon it, the British people are the noblest and the most easily governed of any on the face of the earth. Their fortitude and obedience under the severest privations sufficiently prove it. Sure I am, that the Minister of this country, whoever he be, if he will but win their confidence by appealing to their hearts, may bear upon his little finger the whole weight of the reins of the British empire. And, Sir, the sufferings of these people, so destructive to themselves, are altogether needless to the prosperity of the empire. Could it even be proved that they were necessary, this House, I know, would pause before it undertook to affirm the continuance of them. What could induce you to tolerate further the existence of such cruelties? Just hear, Sir, and it is the last, the statement of William Hunter, a mining overs-man in the Arrinston colliery—

> "I have been twenty years," (says he), "in the works of Mr. Robert Dundas. Women and lasses were wrought below, when Mr. Alexander Moxton, our manager, issued an order to exclude them. Women always did the heavy part of the work, and neither they nor the children were treated like human beings, nor are they where they are employed. Females submit to work in places where no man, or even lad, could be got to labour in; they work in bad roads, up to their knees in water, in a posture nearly double; they are below till the last hour of pregnancy; they have swollen haunches and ankles, and are prematurely brought to the grave, or what is worse, a lingering existence."

Well might that good man Mr. Bald exclaim—

> "The state of these females, after pulling like horses through these holes, is more easily conceived than explained; their perspiration, their exhaustion, and tears very frequently, it is painful in the extreme even to witness."

Is it not enough to announce these things to an assembly of Christian men and British Gentlemen? For twenty millions of money you purchased the liberation of the negro; and it was a blessed deed. You may, this night, by a cheap and harmless vote, invigorate the hearts of thousands of your countrypeople, enable them to walk erect in newness of life, to enter on the enjoyment of their inherited freedom, and avail themselves (if they will accept them) of the opportunities of virtue, of morality, and religion. These, Sir, are the ends that I venture to propose: this is the barbarism that I seek to restore. The House will, I am sure, forgive me for having detained them so long; and still more will they forgive me for venturing to conclude, by imploring them, in the words of Holy Writ, "To break off our sins by righteousness, and our iniquities by showing mercy to the poor, if it may be a lengthening of our tranquillity."

Mr. *Fox Maule* begged to second the motion of his noble Friend, and in doing so to acknowledge in the spirit it merited, the manner in which his noble Friend had expressed his acknowledgements to the late Government for granting him the commission. The details which his noble Friend had laid before the House must, he was sure, have convinced every Gentleman who heard him of the absolute necessity, that the House should take some vigorous steps. His noble Friend had preferred the work of benevolence to which he had devoted himself to that more splendid and glittering path that ambition might have opened to him, and found its reward in the enjoyment of office, and the employment of power. In that work he trusted his noble Friend would succeed, and with the assistance of the House accomplish the object that his noble Friend had in view, that of advancing the interests of humanity.

Mr. *H. Lambton* could not but express his gratitude to the noble Lord for proposing legislation on this subject. It did him infinite credit. It was one of many proofs he had given how anxious he was to protect the poorer classes, especially the younger portion of them. He had listened to the whole speech of the noble Lord, with the deepest interest—the profoundest attention; but that part which excited his feelings the most was, where he exposed the manner in which females were employed in the mines. He had listened to that part with feelings of disgust, indignation, and shame, that in this enlightened country, in the middle of the nineteenth century, such a savage state of things should be found to exist; and it was with pleasure and satisfaction he was enabled to state, that in the counties of Durham and Northumberland, females were never employed in the mines. He wished to take the earliest opportunity of stating this, in order that none of that blame, which so justly attached to those parts of the country where such a practice occurred, should fall on these two counties; and he would assert, without hesitation, that in those counties, the coal-owners and their agents, generally speaking, treated the colliery population with kindness, even with generosity. The pitmen were in receipt of excellent wages —better than in most parts of the kingdom; and great attention and consideration were paid, even at an enormous expense, to the welfare, health, and safety of them all. These two counties were free from many of the charges brought forward by the noble Lord. There were no "girdle and chains"—no "beating of boys"—no "escape to the mines of men who had infringed the law, and where constables dared not follow,"—no "boys of nine or ten years old in charge of the engine"—no "apprenticeship." There were none of these; but he did not mean to say, there was nothing to correct. Far from it. He at once admitted, that the boys went down into the mines too young. But here he must say, the noble Lord had exaggerated the case, in stating that, in North Durham, "there were several of the age of five." In the collieries with which he was connected, there were forty-seven trappers. Of this number, five only were the age of eight; the rest were about nine and ten. But that was too young; and he admitted, that a law was necessary to protect the child—but to protect the child, not against the coal-owner and his agent, but against the cupidity of his own parent. There was the great difficulty to contend with. It mattered little to the coal-owner, as far as his self-interest was concerned, whether the boy went down to work in the mine at the age of nine or ten, or eleven and twelve. It mattered little whether that boy worked three days, or five or six days in the week; but it did matter to the cupidity of the parent. It was the parent who, but ill-educated and blinded as to what was his real and true interest, thought of nothing but how, at the very earliest age of his child, he might earn a few shillings. He saw a remarkable illustration of this last year, in the county of Durham. In the Lambton collieries there is established, and is establishing, at the expence of the coal-owner, three great schools. An able schoolmaster is carefully selected for each. He is allowed 40*l.* a year, a house and fuel; and his school house is found. One of these schools is in full operation; and he (Mr. Lambton) had taken great pains to make it as effective as possible, by framing the regulations according to the best and most approved methods of teaching. But —and here was the illustration—in almost every communication he had with the schoolmaster, he was met with this observation:—

> "But what can I do, Sir? The parents will take away their children so very young, to put them into the mines!"

Now, if you will pass a law to prevent the child from going down so very young, you will do an infinity of good in promoting the education of that population. Education is the great instrument and engine by which you must strike at the root of this evil; and I hope and trust that, before long, there will be no colliery establishment where the coal-owner will not have established effective schools at his own expense. It is a duty he owes to his God and his country so to do. But in legislating on this subject, the House must be most careful to do so cautiously and temperately. Recollect, that we have to do with immense interests, where any rash legislation might plunge them into confusion and disorganization; and recollect, that we have to do with the labour of the pitmen, which is his only property. He hoped her Majesty's Government would bear this well in mind, when deciding the precise limitation of the age. One word more. He (Mr. Lambton) must say, from all he could learn, that there had been some exaggeration on the part of the sub commissioner in describing the state of things in the counties of Durham and Northumberland—as to the very early age at which so many of the boys go down into the mines—as to the severity of the work of the putters and its effects on their manner and health—as to the general effect on the health of the pitmen —and on the premature old age among the pitmen. The hon. Member quoted a letter from Mr. Hardcastle, surgeon, dated May 23rd, 1842; and also an extract from a letter from a head agent of a large colliery establishment, which stated,

> "There were abundant examples of pitmen still healthy and active, from sixty to sixty-eight, and of even seventy—there are large numbers of sixty; and men who have hewed forty years."

Mr. Lambton concluded, by again calling on the Government to pay attention to the precise limitation of the age—bearing in mind, that the Legislature was dealing with immense interests—that any rash legislation might plunge them into confusion and disorganization, and that we were dealing with the only property of the pitman—his labour: consequently, that we ought not to place the limit at one day longer than was absolutely necessary.

Lord *F. Egerton* rose merely for the purpose of expressing to his noble Friend his most sincere thanks for the exertions which he had made in bringing the subject before the House. He thanked him for these exertions, the more peculiarly, as they were in behalf of a class of men with whom he might consider himself in some degree connected, representing as he did many gentlemen who were deeply interested in coal mining property, and who, he could assure the House, were most anxious to ameliorate the moral, social, and physical condition of those who were engaged in that most useful, important, and national employment. He thanked his noble Friend the more too, because he knew from experience that the assistance of the Legislature was essential in order to remedy the prevalent abuses. It was easy for them to judge of these matters with an enlarged view, and on general grounds; but it was no such easy matter to induce those immediately interested at once to adopt those changes which experience only could satisfy them were improvements. There were two most important points introduced to the notice of the House by his noble Friend—the age at which children were to be employed, and the occupation of females. With respect to the latter, although in the district which he was connected with, he did not believe that the employment to which females were subjected was incompatible with health, yet still, putting out of the question all such grounds as cruelty, oppression, force and violence, he thought that, as a question of morality, it was a monstrous thing that the female sex should continue to be so employed. With respect to the ages at which children should begin to labour, he was not sure that his noble Friend had selected quite the proper terms. However, that was a matter to be afterwards discussed; but, in the meantime, he could not help stating to the House some information which he had received on this subject, and which was communicated to him by a most respectable gentleman, a clergyman, who had been long conversant with such subjects. This gentleman stated, unwillingly, but conscientiously, that he feared that the peculiar bend of the back, and other physical peculiarities requisite to the employment, could not be obtained if children were initiated at a later age than twelve. This, however, was a subject which would afterwards come before the House, and in the meantime, he would again express his thanks to the noble Lord for the manner in which he had introduced the subject to their notice, and for the pains which he had taken on behalf of those whom it was the object of this bill to benefit.

Mr. *Hume* was sure that the noble Lord the Member for Dorsetshire, would experience the most hearty co-operation from those who sat near him, in carrying out the measure which he had just introduced to their notice. The tale he had unfolded could not but give rise to the most painful reflections. Hundreds of thousands of pounds had been expended in trying to alleviate distress abroad, and nothing done to put an end to such scenes of misery at home. He could not but think that there was something wrong in the nature of the Government which could have permitted them to have prevailed so long, with so large an expenditure for moral and religious instruction, with individuals endowed with such high salaries for the purpose of attending to the education of the people; he really thought, that what they had just heard contained matter for most serious consideration. He was glad to hear the noble Lord bear testimony to the character of the working man, and he hoped, that the Government would give its best assistance to elevate that character still higher. He believed, that none of the enactments proposed by the noble Lord would be objected to. The question as to age would be, perhaps, a solitary exception, but on every other point they were free from those objections which on other and similar occasions had seemed to him to exist to interfering between the master and the workman. Government, he contended, was bound to provide by education for the moral improvement of the young, as imperatively as they were bound to provide for the physical wants of the community. The promotion of education was a duty—a sacred duty—incumbent upon the Government, and should be one of the foremost of the means to be taken by the noble Lord in his efforts to put an end to the misery which existed in coal mines. A foreigner arriving, and hearing the details which they had just listened to, could not be brought to believe, that in a civilised country such things should prevail. The noble Lord had taken the proper course; instituted inquiries, and had brought before the House statements, not based upon his own assertions, but on the evidence afforded by the inquiries of others. He could only conclude by regretting, that the institutions of the country had been in some way so deficient—that so many millions of money had been expended for the improvement of the people, and that after all such scenes should have continued to exist.

Sir *James Graham* felt delighted but not surprised at the unanimity displayed by the House in the question before them. He was sure, that he expressed the opinion of the House when he said, that the feelings of those must be bad, or their reason perverted, who were not impressed with the force of the argument, the single-mindedness of purpose, and, above all, the tenderness of heart, which characterised the speech of the noble Lord. He never listened to any statement more clearly convincing in itself, or which, to his mind, was more expressive of that which he knew before, but never felt so forcibly as now—the amiable character of the noble Lord who made it. He congratulated him upon the result of his efforts, and the general approbation with which the House had rewarded his sacrifices and exertions in the cause of humanity. He believed, that with respect to the four principal points which it was the object of the bill of his noble Friend to achieve, no difference would exist. It would be impossible to deny, that the time had come when they should extend by law to the workers in coal mines those regulations which subsisted in the mines of Cornwall. It was necessary that, without reference to age, females should not be employed in underground labour. What had been stated with reference to this species of employment was degrading to the country. It was an employment which, if persevered in, would invoke a great moral retribution—which would have a most prejudical effect on the manly bearing of the people, and be attended with great ultimate degradation and loss of national character. The next point was with regard to the exclusion of boys under a certain age from working in the mines. His noble Friend proposed the age of thirteen as the limit, and he had assigned reasons for that proposition. He did not wish to enter upon the discussion of these reasons at present. Some of them did not appear to be quite satisfactory; but on the part of her Majesty's Government he would give its full assent to the introduction of a bill embracing the principle of some limitation of age. What peculiar limit it would be advisable to adopt he was not prepared at that moment to suggest. He agreed with the hon. Gentleman, the Member for the county of Durham, that the children required to be protected, not so much from the selfishness of the coal-owners, as from the cupidity of their own parents; and although in general he would strenuously contend, that the principle should be held sacred, of non-interference with parental control, yet in the circumstances of the case at present before their notice, he felt that that control should be more or less restricted, and that the intervention of the Legislature was indispensable. He would therefore assent to the general principle involved in the second point of the noble Lord's bill. With respect to the third point, which proposed the imposition of some limit upon the ages of those employed as engineers, he cordially concurred. These persons were often placed at the top of the pit, regulating the motions of the engine which drew up the workmen and the coal from the bottom of the pit, and it was most important that such a grave duty should not be devolved upon mere boys. The last point in the proposed bill of his noble Friend, referred to the binding as apprentices of parish children; and there also he agreed with him that pauper children should not be indiscriminately bound. Under the regulations of the Poor-law Commission, which he had had the honour of proposing the continuance of to the House, he had imposed great restrictions upon the binding of parish apprentices. He was aware, however, that these restrictions were imperfect, and, in another clause which he had proposed to the House, he had made provision for vesting in the commission a power of restricting the board of guardians with respect to the trades to which parish children were to be bound. He quite assented as to the propriety of legislating upon the subject, and thought that pauper children should not be bound apprentices in the mines. There had been so much abuse carried on in this respect already—it had been so distinctly proved that children of six, seven, and eight years of age had been bound apprentices and employed for a great length of time in labour beyond their strength—it was a question for consideration, whether the articles of apprenticeship passed under the old system, should be considered in general to be still binding. With respect to the whole measure proposed by his noble Friend, he thought that they were much indebted to him for his exertions in introducing it. He did not think that there was any one to whom that duty could be entrusted so as to command more public confidence; and he, on the part of Government, could assure his noble Friend that her Majesty's Government would render him every assistance in carrying on the measure.

Mr. *Turner* was happy that none of the charges they had heard made against so many of the mining districts, could be made against that district with which he was connected. He had been astounded at the statements he had heard that night, but he was glad the noble Lord who had made them, allowed that the Cornish mine proprietors did not employ people for their benefit in the way which he was sorry to hear they had been employed in elsewhere.

Mr. *Stuart Wortley* was sorry that he could not express similar sentiments to those which he had just heard uttered. The district with which he was connected, and in which he had passed the greater portion of his life, was one from which the commissioners had drawn the accounts of some of the most striking and terrible features in their report. Under these circumstances he rose to discharge a duty rather satisfactory to himself, than necessary to the present discussion, and that was to pay to the noble Lord his tribute of admiration for the course which he had adopted, and to tender to him his grateful thanks. It had been said that there were exaggerations in the report delivered. He could not say, nor could any man say, that in that report, here and there, some exaggerated statements could not be found, but that these were exaggerations which affected the conclusions which his noble Friend had come to, he did not believe. He believed that practices did exist which fully warranted the interference of the Legislature. He would call the attention of the House to a remarkable document which he had not heard alluded to, but which he believed the House would gladly see brought under their notice. Long before the report of the children's employment commission in February last, a petition was presented to the House from a witness of many of these scenes, substantially narrating statements similar to what they had all lately heard, and concluding with a prayer in unison with the principle of the proposition of his noble Friend. The hon. Gentleman read portions of the petition, which agreed with the statements of the mine commissioners quoted by Lord Ashley. The petition concluded with a prayer, that the system might be done away with. He quoted this petition, because it had been whispered that the report of the commissioners was exaggerated, that they had been willing to receive accounts of abuses, and to make up heightened statements. Now, the petitioner in this instance was an impartial man, and one who had personally an opportunity of witnessing what he described. He fully concurred with the main objects of the bill proposed to be introduced by his noble Friend. He felt that his noble Friend had not taken a step beyond the bounds of prudence and discretion. In all subjects of this kind, dealing with the condition and occupations of the lower classes, it was unquestionably desirable that they should not go so far as to encourage them to believe that it was in the power of rulers or of legislators to change the destinies of mankind, and to teach them to think that they could be exempted by Parliament, from the lot of that toil to which the mass of the community were born. Still, a heavy responsibility rested upon the Legislature to do all that lay in its power to elevate their condition, and prevent the labour required from them being carried to excess. This was their duty, not only with reference to the well-being of those classes themselves; it was the strong conviction of his mind that no community could be in a wholesome state which suffered the humbler classes to remain in a condition which rendered them incapable of fulfilling their social duties.

Mr. *Ward* upon all questions affecting the working classes of the country was disposed to place implicit confidence in the sincerity and good intentions of the noble Lord who had brought forward the bill. From the moment he had read the reports on this subject, he felt that if he confined himself to three at least of the four points he had so properly selected as the subject of his bill, the noble Lord would, with the unanimous approbation of the House, achieve one of the greatest triumphs of the Session by releasing from worse than Egyptian bondage the weaker portion of our fellow-subjects, and by annihilating those fraudulent apprenticeships which boards of guardians, caring little for the fate of the children placed under their care, had been ready to enter into for the purpose of ridding themselves of a merely temporary encumbrance. For his own part, he should give his most strenuous support to every part of the bill.

Mr. *Bell* stated, that, in the collieries in the north, with which he was connected no girls were employed; that the young persons engaged to look after the shafts were aged from seventeen to twenty-one years, and that those sent to mines were from eight to ten years old, their employment at so tender an age being solely the result of the conduct of their parents.

Mr. *Brotherton* tendered his most cordial thanks to the noble Lord for his humane and patriotic endeavours, not only to investigate the whole of this most important subject, but to devise some practical remedy for the enormous evils complained of. A deep responsibility would attach to that House if, after hearing the disclosures which had been made, they were not resolved to apply some efficient means of putting an end to the mischief. Considering the horrible and severe labour which those persons underwent in dark and dismal dungeons beneath the earth, the tender age at which they were taken to the mines, and the duration of their labour—from ten to sixteen hours a day—no one could imagine that such practices could have taken place or been tolerated in a Christian land. He was particularly struck with the evidence of one boy, who said he only saw daylight once a week, and that was on the Sunday. He believed the evils of the factory system were paradise when compared to the horrors detailed by the noble Lord. Although he might differ from the noble Lord in politics, he would venture to express his honest conviction that no considerations of party or politics could overrule the noble Lord's feelings in favour of the best interests of the working classes. He gave his most hearty assent to the motion for the introduction of the bill.

Mr. *Pakington* was delighted to witness the impression made on the House. The details which had been so fully and ably detailed by the noble Lord had convinced Gentlemen on both sides that the time was come when there existed an imperative necessity for putting an end, by legislation, to the evils which had been exposed. His object in rising was to express strongly and warmly, his feeling of deep admiration at the course which the noble Lord had taken, and which did him infinite honour. As the Friend of suffering humanity, as the benefactor of those who had hitherto found no protector, the noble Lord had secured for himself a name and reputation more truly noble than any rank or station could confer. After the statement made by the noble Lord, he knew of nothing that would be more satisfactory to the House and country than the frank and cordial assurance of the right hon. Baronet that the Government would give this measure their firm support, and use every endeavour to put an end to those evils which now existed. He hoped, under these circumstances, notwithstanding the advanced state of the Session, and the importance of the business which still pressed on the attention of Parliament, his noble Friend, aided by the support of the Ministers, would be enabled to succeed in his generous efforts, and pass an effectual measure on this great subject during the present Session of Parliament.

Mr. *M. Gibson* rose to correct a misapprehension that might possibly arise from a part of the noble Lord's speech, wherein he illustrated his argument by a statistical statement relative to the state of morals in Manchester. This might give rise to an idea that Manchester had been selected on account of a greater amount of demorazation existing there than in other towns of equal population; but he believed the noble Lord would confirm his statement, when he said Manchester had been selected for the purpose of illustration, merely because it happened that very accurate statistical returns had been drawn up by the efficient commissioner of police of that town. He wished similar returns existed with respect to other towns, and if this were the case, he was convinced it would be found that there was as great an amount of demoralization among the population of this metropolis as in the manufacturing districts. Much of the evil which appeared to exist from the statistical papers of Sir C. Shaw arose from the bad state and great poverty and depression of the working classes.

Sir *R. Inglis* had had the honour, and a high honour he considered it, to support the lamented predecessor of the noble Lord, the late Mr. Sadler, in his endeavour to ameliorate the unfortunate degraded portion of their fellow-subjects which came more especially under the care of that Gentleman, who had left his task as a legacy to the noble Lord. Under these circumstances he could not help indulging himself, if he might be permitted to use the phrase, in the delight of acknowledging his sense of obligation to the noble Lord for the part he had taken on the present occasion. He trusted that the unanimity which prevailed would encourage the noble Lord to persevere, and he doubted not, that under the blessing of God, the noble Lord would be enabled to bring to a successful issue the great work which he had carried thus far.

Mr. *Protheroe* rose, as the representative of a district which stood preeminent for the abuses which had been exposed that night, to assure the noble Lord that his efforts were watched with anxiety by all the better classes of the population; and, however much the lower orders were at present insensible to the advantages which would result from the regulations proposed by the noble Lord, he might confidently rely that the time would come when his name would be blessed by the constituency which he represented, and when the Legislature would be thanked for its interference. He was glad a commissioner had been sent to another district with which he was personally connected, and which happily stood in bright contrast with other mining districts—he meant the Forest of Dean. The hon. Member for Durham had alluded to the cupidity of the parents of children employed in mines, and he could state that schools were established in the Forest of Dean for the children, but their attendance could not be obtained without pursuing almost a system of persecution. It was quite impossible that good could be effected without legislation.

Lord *Ashley* explained, that he had selected Manchester by way of illustration, not because he thought it preeminent for vice, but because an accurate and important document had been drawn up relative to it, which completely illustrated the position he wished to establish.

Leave given.

Bill brought in, and read a first time.

Customs Acts—The Tariff.] House in committee on the Customs Acts.

Schedule 11, relating to manufactures of leather, under consideration.

On the question that the women's boots and calashes the dozen pair be 12*s.*,

Mr. *G. Palmer* moved, that it should be 20*s.*

Mr. *Ward* believed, that the tariff would be of advantage to trade, and upon that ground he should support the proposition of the Government. If, however, that object were not attained, the working classes would next Session have a right to demand from that House cheap food.

Mr. *B. Wood* thought, that the whole difference between the present duty and the one now proposed would be taken out of the pockets of the working boot and shoemakers, and he should therefore support the proposition of the hon. Member for Essex.

Mr. *Gladstone* said, no case had been made out for departing from the proposition of the Government, and as he believed the general effect of it would be the improvement of our own trade, he must oppose the motion of the hon. Member for Essex.

Mr. *Cobden* said, as he supported a free-trade in corn he would carry out his principles and vote against the amendment.

Mr. *S. Wortley* maintained, that the duty on corn had been reduced more than any other article in the tariff.

Mr. *Cobden* said, that he had the recorded words of the right hon. Baronet that he (Sir R. Peel) made sugar and corn as exceptions to the general principles of free-trade adopted in the tariff.

Mr. *Williams* thought it necessary first, to take the taxes off the necessaries of life before the English labourer would be able to compete with the foreigner. Until that was done, a great injustice would be inflicted upon the people of this country.

The *Chancellor of the Exchequer* said, that under the present duty not more than 190*l.* was received on women's shoes imported from France. He thought that it would be for the interest of the shoemakers to have a duty which would operate as an effectual protection to the native manufacturer. A duty of 20 per cent. would effect that object.

The committee divided on the question, that the blank be filled with 12*s.*:—Ayes 148; Noes 36;—Majority 112.

List of the AYES.

Acton, Col.
Ainsworth P.
Aldam, W.
Bailey J., jun.
Baldwin, B.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Bernard, Visct.
Blackburne, J. I.
Boldero, H. G.
Botfield B.
Bowring, Dr.
Bramston, T. W.
Brotherton, J.
Buckley, E.
Buller, Sir J. Y.
Bunbury, T.
Busfeild, W.
Cardwell, E.
Cavendish, hon. G. H.
Chapman, B.
Chelsea, Visct.
Christie, W. D.
Clayton, R. R.
Clerk, Sir G.
Cobden, R.
Cockburn, rt.hn.Sir G.
Colebrooke, Sir T. E.
Coote, Sir C. H.
Corry, rt. hon. H.
Crawford, W. S.
Damer, hon. Col.
Dawnay, hon. W. H.
Dickinson, F. H.
Douglas, Sir H.
Douglas, Sir C. E.
Dowdeswell, W.
Duncan, G.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Estcourt, T. G. B.
Evans, W.
Farnham, E. B.
Filmer, Sir E.
Fitzroy, Capt.
Fitzroy, hon. H.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, M.
Forster, M.
Fuller, A. E.
Gibson, T. M.
Gill, T.
Gladstone, rt.hn.W.E.
Gladstone, T.
Gordon, hon. Capt.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granger, T. C.
Greenall, P.
Grey, rt. hn. Sir G.
Hamilton, J. H.
Hamilton, W. J.
Hampden, R.
Harcourt, G. G.
Hardinge, rt.hn.Sir H.
Hepburn, Sir T. B.
Hervey, Lord A.
Hill, Sir R.
Hodgson, R.
Hope, hon. C.
Hornby, J.
Howick, Visct.
Hume, J.
Hussey, T.
Hutt, W.
Inglis, Sir R. H.
Irton, S.
Jackson, J. D.
James, Sir W. C.
Jermyn, Earl
Johnstone, A.
Johnstone, H.
Jones, Capt.
Knatchbull, rt.hn.Sir E.
Lambton, H.
Langston, J. H.
Lascelles, hon. W. S.
Lefroy, A.
Legh G. C.
Lincoln, Earl of
Litton, E.
Lockhart, W.
Lyall, G.
Macaulay, rt.hn.T.B.
Mackenzie, W. F.
M'Geachy, F. A.
Marshall, W.
Marsham, Visct.
Marsland, H.
Martin, J.
Martin, C. W.
Newry, Visct.
Pakington, J. S.
Philips, M.
Plumridge, Capt.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Pringle, A.
Protheroe, E.
Richards, R.
Rose, rt. hn. Sir G.
Round, J.
Russell, J. D. W.
Ryder, hon. G. D.
Sandon, Visct.
Scott, hon. F.
Seymour, Lord
Seymour, Sir H. B.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Smith, A.
Smyth, Sir H.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, Lord
Stansfield, W. R. C.
Stanton, W. H.
Stewart, J.
Sutton, hon. H. M.
Thornely, T.
Turnor, C.
Verner, Colonel
Ward, H. G.
Wawn, J. T.
White, H.
Wilbraham, hn. R. B.
Wodehouse, E.
Wood, C.
Wortley, hon. J. S.
Wrightson, W. B.
Young, John

TELLERS.

Baring, H.
Fremantle, Sir T.

List of the NOES.

Allix, J. P
Baird, W.
Broadley, H.
Brocklehurst, J.
Brodie, W. B.
Chapman, A.
Chetwode, Sir J.
Cripps, W.
Esmonde, Sir T.
Fielden, J.
Greenaway, C.
Grimsditch, T.
Grogan, E.
Halford, H.
Heathcote, J.
Henley, J. W.
Hinde, J. H.
Hollond, R.
Humphery, Mr. Ald.
Ingestre, Viscount
Kemble, H.
Lawson, A.
Long, W.
Mitcalfe, H.
Mitchell, T. A.
O'Brien, J.
O'Brien, W. S.
Ogle, S. C. H.
Pechell, Capt.
Pryse, P.
Scholefield, J.
Trotter, J.
Turner, E.
Vivian, J.
Walker, R.
Williams, W.

TELLERS.

Palmer, G.
Wood, B.

On the question that there should be a duty of 10 per cent, *ad valorem* chargeable on the import of all cotton manufactured goods.

Mr. *M. Gibson* was at a loss to understand upon what principle it was that there should be a duty of 10 per cent charged upon the importation of foreign cottons. The cotton trade of Great Britain did not need any such protection; the cotton manufacturers sought for no protection. All that the cotton manufacturer wanted, was to be allowed freely to exchange his productions with foreigners for the food which those whom he was in the habit of employing so urgently required, and the same freedom which the cotton manufacturer demanded for himself he was willing that the agriculturist should fully enjoy.

Mr. *Gladstone* said, that her Majesty's Government had not fallen into the mistake of supposing that the duty to which the hon. Member who spoke last alluded, had contributed in any degree to raise our cotton manufacture to its present height. He thought he could best explain the principle upon which the duty was imposed by a reference to the duty on bar iron. There was a close analogy between the two cases. The interests of the iron trade generally were no more advanced by the duty on the import of foreign bar iron then the interests of the cotton trade at large were promoted by the existence of the duty now under consideration. But there were branches of the iron trade which felt the benefit of the existing duty, and a limited branch of the cotton trade was in a similar situation, though the provision to which he referred was valueless to the great body of the trade. It was quite true, that the cotton trade was not liable to be affected in this country by anything like foreign competition, yet as respected one branch of the trade, the sort of protection which this duty gave was considered not unimportant.

Dr, *Bowring* said, that a very general impression prevailed on the continent that the success of British manufactures was owing to protection; he therefore thought that as an example this duty ought to be removed. Cotton never had received any protection, and never required any, he should therefore vote for the rejection of the proposed impost.

Mr. *M. Gibson* protested against the existence of this duty being made a pretext for continuing a protection to agriculture, which had long been a great injury to the commercial and manufacturing interests of this country. Much error prevailed upon this subject, and many efforts were made to induce the public to think that the cotton-trade enjoyed a protection similar to that possessed by the agriculturists.

Mr. *Cobden* said, that the cotton-trade needed no protection, and was incapable of receiving any. The benevolence of those who sought to protect the cotton-trade would be altogether futile, if they did not set free the importation of food upon the possession of which the prosperity of all manufactures depended. The English agriculturists enjoyed an exclusive market, while the English manufacturer was exposed to unlimited competition. The pamphlet written by Mr. D. Hume, signed "H. B. T.," and published by Hooper, ought to convince any man of the gross injustice which was perpetrated for the sake of the agriculturist.

Viscount *Sandon* observed, that there were articles imported to which this duty would advantageously apply, and he should therefore support it.

Dr. *Bowring* begged to call the attention of the noble Lord to one fact. When the Corn-laws were under discussion, several hundreds of delegates from the various manufacturing districts in the country assembled together, and the first resolution which they passed was, that they were in favour of free-trade in the articles they consumed themselves, whilst, at the same time, they were perfectly willing to submit to free-trade in the articles which they produced.

Mr. *M. Attwood* wished to remind hon. Gentlemen of another fact,—namely, that Mr. Huskisson, in March, 1825, in a speech then delivered by him, stated, that the duties on manufactured cotton goods stood as follows: 75 per cent on one particular description of articles, 67½ per cent on another kind, and 50 per cent on a third class of cotton goods; that graduated scale Mr. Huskisson described as monstrous, and proposed that a protection of 10 per cent should be levied.

Mr. *Brocklehurst* was not a free trader, except so far as he was compelled to be one by the conduct of the Government. He complained, that while many interests came to that House and cried out for protection, there were others which could do without protection, apparently determined to sweep down and sacrifice others to their own principles. The number of persons employed in the cotton-trade was small, compared with those engaged in other branches. If other trades were not protected, the persons employed in them must go into union workhouses. What had Mr. Forward, the American statesman, said? He had declared, that the time had arrived when they must protect the manufacturing classes, and in doing that, they would also protect the landed and agricultural classes. He should be ready when the proper time came to return to a sound and fair mode of protection to all branches of trade, exactly equal to that given to land. He was a practical man rather than a theorist. He had watched the progress of the chamber of commerce at Manchester, a body which had allowed its tongue to outrun its judgment. Facts were decidedly against that body, because the consumption of raw silk and the people's wages had considerably diminished since the reduction of the duties on foreign silks, although there had been plenty of husks, rough-stuff, and devil's dust used. Foreigners of every country had told British manufacturers not to send out any more of their silks, for they were a disgrace to them. The Anti-Corn-law League had so bewildered the public mind, that it was perfectly vain to try at present to stem the torrent of error until the people returned to their senses; he was of the same opinion as an hon. Friend near him—that the better way was to let them go on at the greatest speed, because they would be the sooner likely to come back to right principles.

Mr. *Mangles* wished to call upon the House to do justice to the cotton manufactures of British India. The Government proposed an *ad valorem* duty of 5*l.* per cent upon the importation of cotton goods from British India, which was the only place from which they could come, and he was decidedly of opinion that the proposition was unfair. They had already nearly destroyed the cotton manufacture of India by the superior skill, science, and capital of this country — so much so, that whereas in former times there was a population of 300,000 employed in the city of Candahar in the cotton-trade, there were not 30,000 so employed now. In order further to show what they had already done, he would merely say, that in 1814, India exported to this country 1,266,000 pieces of cotton goods, while, in 1837, she exported only 414,000 pieces. The value in the five years ending in 1814 was 1,400,000*l.*, while the value of the exports in the five years end- in 1838, was only 94,000*l.*, showing a falling off of no less than 1,306,000*l.*, and during the same period the increase in the imports from England had increased accordingly. They had almost destroyed the cotton trade of India, but as a free-trader, he was bound to say, that although they had no doubt infused distress amongst the portion of the people of India, engaged in the cotton trade, they had conferred an immense benefit upon the great bulk of the people of that country. He did not, however, think it was fair that they should now by their measures further distress that body which had already suffered so much.

Mr. *Cobden* said, hon. Gentlemen opposite seemed to fancy, that the cotton trade enjoyed a protection of 10 per cent., because they saw it in the tariff; but suppose the hon. Member for Whitehaven, for instance, were to look a little further into the tariff, he would see that it proposed a duty of 40*s.* a-ton on coals imported into Newcastle. Let him go and ask his constituents whether that was any protection to the coal trade or not. If hon. Gentlemen liked to be taken in by the tariff, that was no reason why those who were in favour of free-trade should be. In reference to what had fallen from the hon. Member for Macclesfield, he would only say, that because the manufacturers of silk refused to improve upon their old system, was no reason why the cotton manufacturers, who had greatly improved, should be kept in shackles. The people of Macclesfield seemed to be in great doubt upon many things, as well as upon the question of free-trade—they were represented by one Gentleman on each side of the House, and neither of them appeared to have made up his mind on any subject.

Mr. *Grimsditch* said, at all events, the people of Macclesfield were of one mind respecting the doctrines of free-trade—they were universally opposed to them. He had never seen so much distress in his life as he witnessed in Macclesfield on the introduction of the foreign silk upon free-trade principles in 1825, and he felt certain, that if those principles were carried out to the extent advocated by the hon. Member for Montrose, it would bring inevitable ruin on the country—it would destroy manufactures, the colonies, and the greatness of this country; therefore, he trusted the Government whom he now saw upon those Benches below him, would not be led away by such doctrines. He had just had the satisfaction of giving a vote in favour of the shoemakers, and he would always support the industry of the country.

Mr. *Ferrand* only rose for a moment to protest against the hon. and learned Member for Bolton being received as an authority upon free-trade by that House. The House was well aware, that the hon. and learned Gentleman, commissioned by the late Government, had visited the continent for the purpose of getting information on matters of trade and commerce. He had been informed by a Swiss manufacturer of respectability that the hon. and learned Gentlemrn would only take evidence which suited his own views and purposes. The hon. Member for Montrose seems to think, the hon. Member continued, that if he is not aware of a fact, no one else can be. I rise to protest against a fact stated by the hon. and learned Member for Bolton, that the delegates sent to London by the Anti-Corn-law League represent the whole manufacturing interest of the country; and that when they state they are willing to carry out the principles of free-trade, all the gentlemen connected with the manufacturing interests are prepared to carry out those principles. I beg leave to say, that there are gentlemen connected with the different trades of this country, who could buy up the Anti-Corn-law League a thousand times over, who protest against the principles of free-trade, and who declare, that it is impossible for this country long to exist if those principles were carried out. Where are the gentlemen of the Anti-Corn-law League now? They had disappeared from the face of day—from the face of the public. The working classes had cast them off and told them that they had tried to betray them. The placard he had showed in the House the other night could only have been used in the absence of all argument. Would any one with truth on their side, have used such a placard? Durst they deny that it was theirs? He had shown it himself to a leading man of the Anti-Corn-law League, and he durst not deny it. Where was it published? It was published at Manchester, by a printer of the name of Gadsby, and over that man's door was painted in large characters, "The dépôt of the papers of the Anti-Corn-law League." Don't let them charge the Government to the working classes with murder, but use common sense, plain arguments, and plain honest dealing with the working classes; and if a poor wayfaring man could not be deceived by their arguments, don't let them try to rouse him against the Government by falsehood.

Dr. *Bowring:* I beg to call for an explanation. When the hon. Member states, that I was sent abroad by her Majesty's Government to collect evidence on commercial matters, and that I either suppressed or refused to adhere to certain evidence, he is called on to state his authority. He has more than once in this House refused to state the authority for accusations of the most grave and serious import. I call on him again to state the authority on which he has ventured to state that I have either suppressed what is true, or introduced what is false. If I may be allowed to differ from the opinion of individual Swiss, I may state, and the hon. Member would have found, if he had consulted the history of Switzerland, that the Swiss have, from beginning to end, recognised the principles of free-trade, and their happiness is to be attributed to those principles.

Mr. *Ferrand:* I never stated, that the hon. and learned Gentleman had suppressed what was true, or stated what was false. But what I said was, that I was told by a Swiss manufacturer of great respectability, that the hon. and learned Member would only hear parties who coincided with him.

An interruption occurred—there was a call for a division—the gallery was cleared, but no division took place. On returning to the gallery,

Mr. *Ferrand* was on his legs, endeavouring to make himself heard, amidst considerable tumult. The hon. Member was understood to say, that he was prepared to prove what he had said. I have brought, he added, no charge against the hon. and learned Member. I say, I state it on the authority of two Swiss manufacturers of the highest respectability. One of them, the mayor of a town, told me, that he had the honour of having the hon. and learned Member as a guest at his table; and it was their opinion, that the hon. and learned Member did not take the evidence of the Swiss manufacturers impartially.

Viscount *Howick* could not help expressing his astonishment at what he had heard in the speech of the hon. Member who had just sat down. The hon. Member said, he had made no charge against the hon. Member for Bolton. He would ask the House to remember what it was that in the opinion of the hon. Member was no charge. The hon. Member told them that the hon. and learned Member being in a responsible public situation, being charged by the Government of the day fairly to collect evidence upon an important point, had deliberately suppressed evidence. [*No, no.*] He would give the hon. Gentleman the benefit of the incorrectness into which he had fallen. The hon. Member did not use the word "suppress," but was there a great distinction between suppressing evidence and refusing to take it? He asked the House whether, in the plainest and most distinct terms, the hon. Member had not stated that the hon. Member for Bolton (Dr. Bowring) had refused to take evidence which he thought made against himself? He appealed to the recollection of the House of what had passed but a few minutes ago, whether that was not the substance of the charge. The hon. Member might think that to make such a statement was not to make a charge against the character of a public officer. If such was the hon. Member's opinion, he (Viscount Howick) begged to tell him that he held a different opinion of the duty not only of a person holding a public situation, but of an honest and an honourable man, and he further told the hon. Member, that if he wished him to believe the correctness of his statement, he must give him every minute particular, so as to enable him to test the accuracy of his judgment. That would be the fair mode of proceeding. The hon. Member for Knaresborough had been pleased to allude to him as one of the great number who had called on the hon. Member to name the person on whose authority the hon. Member had made what he considered to be a very grave charge against the hon. Member for Bolton. He admitted that he did call on the hon. Gentleman to name. When a charge of this kind was made, it was the duty of the hon. Gentleman to give his authority. An hon. Member could in such a case do one of two things—he could either abstain from making charges of this sort, founded, perhaps, on some vague statements which he may have casually collected in his travels, or, if he was prepared to make the charge, he ought also to be prepared, if called upon, to substantiate the charge. It would not do for the person making such a charge to turn round to the House, and to say, "Won't you believe me?" thus making the question personal to himself. No doubt he was bound to believe what every gentleman stated he believed to be true, but he must inform the hon. Member for Knaresborough that he had not that confidence in his judgment, nor that reliance on his impartiality, which he would like to have in questions of this kind. The hon. Member was bound to state the authority for his statement and the particulars, for, unless he did so, it would be out of the power of the hon. Member for Bolton to disprove the charge. He (Viscount Howick) felt that the hon. Member was the more bound to do this because this was not the first time that the hon. Member had made vague charges of this kind, and had shrunk from substantiating them. He alluded to the vague charges which the hon. Member made on a former evening in that House without ever, as far as he was aware, having put it in the power of the parties charged to repel those charges. These charges the hon. Member had repeated to-night, although he had never made them in such a shape as would enable the parties to repel them. That was a practice which ought not to be encouraged by the House, and he would never be deterred by any notice which the hon. Member might take of what he said from expressing his opinion of the extreme and gross impropriety of this manner of bringing forward accusations which were neither properly substantiated, nor yet made in such a way as to enable the parties accused to repel them.

Lord *Stanley* said, that the discussion was exceedingly profitless, and much more time had already been wasted than was necessary on an expression which had been casually dropped. The hon. Member for Knaresborough begged the hon. Member for Bolton might not be taken as an authority on free-trade, because the hon. Member for Knaresborough had been told that the hon. Member had taken evidence only on one side. Taking the statement as they pleased, he admitted that it did convey a charge against the hon. Member for Bolton, which it was proper that he should deny. Then the hon. Member for Bolton got up in his place, and utterly denied the charge, which, therefore, resting as it did solely on anonymous authority, fell to the ground. If, when statements of this kind were made, it was to be said to the hon. Member who made them, "Now, tell me whom you heard this from?" it would only lead to profitless discussions, and to a waste of the time of the House. He must beg the committee to consider, that from the moment that the hon. Member for Bolton made his denial, that charge fell to the ground, and there was an end of it, and he hoped the committee would allow the subject to drop. They had now for a long time been discussing this tariff which every man allowed ought to be pressed forward with all possible expedition. But it was impossible that this should be done if discussions were allowed to arise on every article, not as to the merits, but on collateral or irrelevant topics. He entreated the committee to give full credit to the denial of the hon. Member for Bolton, and to stop the present discussion.

Mr. *Baring* said, that being a Member of the Government which commissioned the hon. Member against whom this most unjust and unfair charge had been made, he could not help rising to express his opinion that the charge was wholly unfounded. He said that if the charge were true, the hon. Member for Bolton had acted most disgracefully; he said, without cavilling about words, for the charge had been made in three different shapes, the hon. Member (Mr. Ferrand) having in each of his three speeches differed from himself,— that whichever charge was taken, and proved to be true, the hon. Member for Bolton had acted most disgracefully. He said, moreover, that if a charge was brought against an hon, Member in the discharge of a public duty. it was right, whether the hon. Member sat on that or the other side of the House, that he should have that specification of the charge which might enable him to disprove it. A public servant had been charged with a failure of duty, and when the hon. Member who made the charge was asked for his authorities, he refused to name them. If he had stated that he had heard that any hon. Gentleman opposite had acted dishonestly and disgracefully in the discharge of those public duties which it might be incumbent upon him to perform, and if when he had been called upon to name the party from whom he received the information, in order to afford the person accused an opportunity of meeting the charge, he said, "No; I made the statement myself, but I will give you no opportunity to repel the accusation," what opinion would be entertained of such conduct on the opposite side of the House? The noble Lord opposite had fairly said, that he gave full credence to the denial which the hon. Member for Bolton had given to the charge brought against him; and the noble Lord had justly observed that the statement of that hon. Member ought to receive entire credit from the House. That was, in fact, the usual course which, in common courtesy, was pursued in that House. What had been the case in this instance? A denial was given; the charge was restated; again it was denied in the most unreserved manner; yet a third time was the accusation repeated. It was not now his duty to defend public servants, but if charges of this nature were brought against them—if their characters were aspersed without any opportunity being afforded them of explaining or refuting the charge —he must say they were most unfairly dealt with, on whichever side of the House they might happen to sit. He agreed with his noble Friend that the time of the House was most unprofitably spent in discussing such personal matters as this; but it was, he conceived, most unfair that such an attack should be made on his hon. Friend by the hon. Member opposite.

Mr. *Ferrand* would ask that House, and through them the country, whether it was not notorious, at the time the hon. and learned Member for Bolton was sent on his mission, that the hon. and learned Member was a violent advocate of the principles of free-trade? He begged also to ask the right hon. Gentleman who had just sat down, whether it was not also notorious throughout the country, that the hon. and learned Member for Bolton was sent abroad by the Government for the purpose of getting rid of him. It was at least asserted throughout the country, that the late Government sent the hon. and learned Member for Bolton abroad for the purpose of getting rid of him, on account of his advocacy of those principles, which he did not hesitate to say the hon. and learned Member supported in a straightforward and honourable manner. But would it be contended that he was not justified in canvassing the conduct of that hon. and learned Member as a public servant? Was he to be told, in that House, that he had no right, as an individual Member, to express his opinion as to the manner in which the evidence obtained by the hon. and learned Member had been got up? For his own part, he was not satisfied with the conduct of that hon. and learned Gentleman while he was abroad. He thought the evidence obtained by the hon. Member did not show that he was anxious to obtain a fair report on both sides of the question. He begged to inform the right hon. Gentleman who had just sat down, that he had not to-night altered three times the nature of his assertions with respect to the hon. Member for Bolton It was true that he had three times repeated his statement, and he would now repeat it again. He asserted that the hon. and learned Member for Bolton was more inclined to hear evidence in favour of free-trade than receive evidence on the other side. That was the statement he had made before. He wished to say one word with regard to the observations of the noble Lord the Member for Sunderland (Viscount Howick.) That noble Viscount had stated he had uttered language which was grossly improper to use in that House. If he had used grossly improper language, he had no doubt the Chairman would have felt it his duty to call him to order.

Mr. *Brotherton* moved that the Chairman do report progress.

Mr. *Wallace* said, in the whole course of his experience, and he had sat in four Parliaments, he never witnessed such a scene in the House of Commons. He was very much astonished to see that so many hon. Members of great experience on the other side of the House could not assist the noble Lord, the Member for North Lancashire, in an attempt to put an end to the scene. No man ought to come there who was not possessed of firmness of mind and constitution. He held that if a man were not possessed of these requisites, he was unfit to have a seat in the House. But he would on that occasion second the proposal of adjournment, but he did so with great reluctance, and it was on the ground of the absence of the right hon. Baronet, who was the leader of the House, and the accredited organ of the Crown; and as he saw no one there who seemed to have that authority on the Ministerial side of the House which the right hon. Gentleman possessed. There was another matter to which he would shortly advert, and he begged particularly to address himself to the noble Lord. When the noble Lord introduced the Coercion Bill —[Lord *Stanley*: I did not introduce it.] No; the noble Lord did not introduce it, but still it ought to be called the noble Lord's bill. [" Question."] He was speaking to the question, for the question was the adjournment of the House; and if less cheering, and more—[" Order, order."] He must say, that the foremost in the cheering was one of the nearest relations of the right hon. Baronet, who was absent. [" Order, order."] He said so again; he was not to be bullied by him, or by any one else. [" Chair, chair."]

Lord *Stanley* said, he was sure that the hon. Gentleman was anxious to maintain order; but he must perceive that he himself was not setting a very good example, as, by applying the word " bullying" to any hon. Member, he would at once see that he was exceeding the rules of the House.

Mr. *Wallace* was obliged to the noble Lord, but he was not aware of what had fallen from him, but he would at once acknowledge that the word " bullying " exceeded the rules of Parliament. With respect to the proposal before the House, he thought they should at once accede to it. He begged pardon of the House for having spoken in the strong terms which he had used, but he asked pardon of no individual; it was of the House alone he asked it.

Colonel *Peel* said, the hon. Gentleman was understood as retracting the words made use of as far as the House was concerned, but that he would make no apology to individuals.

Mr. *Wallace*: I have retracted the word " bullying."

Colonel *Peel*: I can only say that there is no Gentleman whose good opinion I would less wish to have than the hon. Gentleman's.

Mr. *C. Buller* was not sorry in one respect that the discussion had assumed for some time past a personal character, because he considered that it was high time the House should understand on what ground and in what manner such personal charges as they had been too much in the habit of entering into lately were to be tolerated. The noble Lord (Lord Stanley) who had endeavoured to cast oil upon the waters, had done so rather at the expense of the real question before the House. It was not that they on that side of the House complained of general allegations being made upon matters not connected with the subject of debate, but that they complained of a charge of a specific character having been made, which it afterwards turned out the hon. Member refused to support. What they on that side of the House complained of was, that on the present occasion, as on others, the hon. Gentleman had come forward with, not a quantity of vague charges, but with a specific charge, involving individuals—that he stated he could name individuals, and that when called on to name them he refused. There was this clear distinction to be drawn, however, with regard to the hon. Member to whom he referred—that he never made a charge of this kind, that he did not discredit himself; he never made a charge without stating that he possessed the materials of proof; and when challenged to produce those materials, he never failed to refuse. Therefore, he thought hon. Members might rest calmly under the imputations of the hon. Member, satisfied that the more specifically he made them, the less able and willing would he be to prove them. He was not at all impugning the hon. Member's veracity, which would be out of order; but he would caution the hon. Member not to make assertions which only had the effect of leading him into awkward predicaments, and of leading that House into scenes which were not very creditable or consonant to its dignity. He could not help remarking, too, on the absence of attempts on the other side to restrain this sort of disposition. But it was unfortunately so—"when the cat was away the mice would play." He must say that the spirit of the supporters of the right hon. Baronet had to-night been of a character more uproarious and outrageous than they had been in the habit of indulging in. He had observed a certain boldness in hon. Gentlemen opposite, who had indulged in tirades against the general principles of the right hon. Baronet's Government, of a nature which he had never heard before. The Friends of the right hon. Baronet looked very indignant, but Gentlemen had been getting up one after another tearing at the whole principle of free-trade, and at the tariff to an extent which would certainly have shocked the right hon. Baronet if he had been present. And really he must say, that if any ground for the adjournment were required, it would be best found in the absence of the right hon. Baronet, and even had the motion to report progress been made while the right hon. Baronet himself was present, it would have been a seasonable proposal, to which the right hon. Baronet would not have objected. But, as it was, the proposal was unreasonable, and he thought that they had much better get rid of the subject of cotton this evening. On the subject of India muslin, he certainly must say, that he thought there was much in the argument of his hon. Friend the Member for Guildford. By the operation of the duty, the native manufacturers of India were thrown upon their own market, and when they found their industry ruined, they had a right to call on this country to admit their raw material or slightly manufactured articles on terms that would not place them in an unfair position. Therefore, whether his hon. Friend proposed to divide or not, he should be prepared generally to accede to his views, though perhaps he might think that he had not put the question in the most adviseable form.

Mr. *Hume* said, there appeared to him to be good reasons for the adjournment. The first was, they had an unsatisfactory debate, which did not seem likely to end; and the second, that the proposal of the hon. Member for Guildford was one the justice of which the right hon. Baronet would be very likely to see were he present. He had a better opinion of the right hon. Baronet and of his good sense, than to believe that he would oppose it, and as it was now half-past 12 o'clock, he hoped the House would allow the Chairman to report progress and ask leave to sit again.

The *Chancellor of the Exchequer* said, many hon. Gentlemen opposite had accused those who sat on the Ministerial side of not having taking part in the discussion, and the hon. Member for Liskeard had, in his usual way, been very witty at their expense. He had come down to the House, after having been occupied all day, in the expectation that the tariff would be discussed; and when he found that a discussion had arisen unconnected with the immediate subject, he did not like to interpose, lest fresh fuel should be added. With regard to the proposition of the hon. Member for Guildford, he would only observe that if this claim were allowed other colonies (Jamaica, for instance) would consider themselves entitled to a similar benefit.

Mr. *Cobden* deprecated the practice of turning the attention of the House from the real subject of debate to these personal discussions. On all future occasions, on which the practice might in the same manner be resorted to, he, for one, if he could find half a dozen Members to support him, would assert the power of moving the adjournment, which he understood hon. Members possessed for the protection of the public—for it was on public grounds that he acted. As a young Member, perhaps, the House would give him leave to state the result of his observation of their proceedings, and he did hope, that what he said might go forth to the public, in order that they might be able to form their own opinion. He found, that from half-past four o'clock in the afternoon till about half-past five there were Members dropping in, when personal questions might be put and personal matters could be discussed. From that time until half-past seven Members stayed, growing more and more impatient, interrupting the speeches, and shouting for divisions, till about eight o'clock. Then hon. Members all at once disappeared, leaving some forty or fifty Members to discuss the most important subjects connected with the affairs of the country till about half-past ten or half-past eleven. At about that hour he generally saw some fifty Members or so enter and take their seats, wearing their white cravats and their white waistcoats, having either come from dinner parties, or being prepared to go off to balls; and then from about half-past eleven to half-past twelve o'clock, there was renewed the same interruption, the same shouts for divisions, and the same inattention to the real business of the country, as was experienced at an earlier period of the evening. He hoped the public might be made acquainted with these facts, as it would help them to form a just opinion of that House. If, however, the kind of interruptions of which he had just complained were repeated, and he could get half a dozen Members to join him, he would move an adjournment until hon. Members learned to conduct the business of the country in a proper mode.

Major *Vivian* agreed with the hon. Member for Stockport in his remarks upon personal discussions; but at the same time, while he was deprecating personal discussions, he thought he ought to be careful how he made allusions that might apply to both sides of the House. He did not think the hon. Member's allusions to white cravats and white waistcoats were likely to lead to any public benefit in the discussion.

Mr. *Cobden* said, that when he had mentioned white cravats and white waistcoats, he had not for a moment intended to throw off any invidious imputation on hon. Members on the opposite side. He had referred to both sides indifferently.

Mr. *F. T. Baring* wished that the hon. Member for Stockport would allow them at once to take a vote upon this subject.

Mr. *Cobden* would certainly divide. He thought they were in anything but a temper to come to a fair decision.

The committee divided on the motion, that the Chairman do report progress, and ask leave to sit again.—Ayes 36; Noes 156:—Majority 120.

List of the Ayes.

Aglionby, H. A.
Aldam, W.
Armstrong, Sir A.
Bowes, J.
Bowring, Dr.
Brodie, W. B.
Busfeild, W
Chapman, B.
Childers, J. W.
Christie, W. D.
Ebrington, Visct.
Ellis, W.
Evans, W.
Forster, M.
Gibson, T. M.
Gill, T.
Hume, J.
Marshall, W.
Marsland, H.
Martin, J.
Morris, D.
O'Brien, J.
O'Brien, W. S.
O'Connell, D.
Philips, M.
Plumridge, Capt.
Protheroe, E.
Pryse, P.
Rundle, J.
Scott, R.
Stansfield, W. R. C.
Strutt, E.
Wallace, R.
Wawn, J. T.
Wood, B.
Wood G. W.

TELLERS.

Brotherton, J.
Cobden, R.

List of the Noes.

A'Court, Capt.
Acton, Col.
Ainsworth, P.
Allix, J. P.
Antrobus, E.
Bailey, J., jun.
Baldwin, B.
Baring, hon. W. B.
Baring, rt. hn. F. T.
Bateson, R.
Bernard, Visct.
Blackburne, J. I.
Blackstone, W. S.
Botfield, B.
Buckley, E.
Buller, C.
Burrell, Sir C. M.
Campbell, A.
Cardwell, E.
Charteris, hon. F.
Chelsea, Visct.
Clayton, R. R.
Clerk, Sir G.
Cockburn, rt. hn. Sir G.
Colville, C. R.
Corry, right hon. H.

Courtenay, Lord
Crawford, W. S.
Cripps, W.
Damer, hon. Col.
Darby, G.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Dodd, G.
Douglas, Sir C. E.
Duncan, G.
Dundas, D.
East, J. B.
Eastnor, Visct.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Farnham, E. B.
Fellowes, E.
Ferrand, W. B.
Filmer, Sir E.
Flower, Sir J.
Ffolliott, J.
Forbes, W.
Fuller, A. E.
Gaskell, J. M.
Gladstone, rt. hn. W. E.
Gladstone, T.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. R. O.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granger, T. C.
Greenall, P.
Grey, rt. hn. Sir G.
Grimsditch, T.
Grogan, E.
Halford, H.
Hardinge, rt. hn. Sir H.
Heathcote, G. J.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hodgson, R.
Hollond, R.
Holmes, hon. W. A'Ct.
Howard, hon. C. W. G.
Howard, Sir R.
Hughes, W. B.
Hussey, T.
Hutt, W.
Ingestre, Visct.
Irton, S.
Jackson, J. D.
Jermyn, Earl
Johnston, A.
Jones, Capt.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, F. W.
Lambton, H.
Lefroy, A.
Legh, G. C.
Lemon, Sir C.
Lincoln, Earl of
Litton, E.
Lockhart, W.
Lowther, J. H.
Lowther, hon. Col.
Mackenzie, W. F.
M'Geachy, F. A.
Mahon, Visct.
Mangles, R. D.
Martin, C. W.
Master, T. W. C.
Mitcalfe, H.
Mitchell, T. A.
Morgan, O.
Morgan, C.
Mundy, E. M.
Murray, A.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Sir D. J.
Ogle, S. C. H.
Packe, C. W.
Pakington, J. S.
Parker, J.
Patten, J. W.
Peel, J.
Pigot, Sir R.
Plumptre, J. P.
Pollock, Sir F.
Pringle, A.
Rashleigh, W.
Rice, E. R.
Richards, R.
Rose, rt. hon. Sir G.
Round, J.
Rushbrooke, Col.
Ryder, hon. G. D.
Sandon, Visct.
Scholefield, J.
Sheppard T.
Shirley, E. J.
Shirley, E. P.
Somerville, Sir W. M.
Stanley, Lord
Stanton, W. H.
Stewart, J.
Sutton, hon. H. M.
Taylor, J. A.
Trench, Sir F. W.
Trotter, J.
Tyrrell, Sir J. T.
Vane, Lord H.
Vivian, J. H.
Vivian, J. E.
Vivian, Hon. Capt.
Waddington, H. S.
Whitmore, T. C.
Wilbraham, hon. R. B.
Wodehouse, E.
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.

TELLERS.

Baring, H.
Fremantle, Sir T.

On the question being again put,

Mr. Hume moved, that the Chairman leave the Chair.

Lord *Stanley* observed, that the division which had just taken place was not a party one, as both sides of the House had concurred in the propriety of settling the question before it for consideration. It was, he knew, in the power of the hon. Member for Montrose, and any half-dozen Gentlemen who chose to support him to prevent, if they thought fit, the further progress of the public business, and to compel an adjournment. Therefore, if the hon. Member intended to persist, notwithstanding the marked sense of the House against adjournment, he would not be a party to the wasting of the time of the House by repeated discussions, which could only lead to the one result. But he hoped the House and the country at large would observe, that it was not to the House of Commons, but to a very small section of the House, that the Government owed their inability, after so long a discussion, to make greater progress in the business of the country. If the hon. Member should persist in moving an adjournment, he would not put the House to the trouble of dividing, but he wished the House and the country to know upon what grounds it was, that her Majesty's Government were obliged to relinquish the hope of proceeding more rapidly with the public business.

Mr. *W. S. O'Brien* asked whether the desire for adjournment had not arisen out of a most abhorrent and unfounded attack made by an hon. Member on the other side of the House upon a Gentleman who had held an official situation? He felt that the time was come when they should decide whether these individual attacks should be tolerated—attacks which were founded on anonymous information, and which he therefore conceived to be totally at variance with the practice of the House. For this reason was it that he had voted for the adjournment.

Mr. *Forster* was anxious for the passing of the tariff, but he did feel, if such scenes as he had witnessed that night were to be persevered in, that not only would the public business be retarded, but the character of the House be materially injured, and he gave his vote in favour of the motion for adjournment, solely for the purpose of marking his sense of that conduct, of which, as a Member of the House, he felt utterly ashamed.

Mr. *Hume* said, in answer to the noble Lord, that it was his intention to persevere. He was as anxious as the noble Lord to see this measure forwarded. He could tell the noble Lord, that no one in the House was more attentive to the tariff than he was, and if the noble Lord's side of the House continued to countenance such a proceeding as had taken place that night, he was not to be blamed for endeavouring to put an end to it by the mode he now adopted. If any individual was to be blamed, it was the Chairman, who ought to have stopped the attack of the hon. Member for Knaresborough. If one Member of the Government had risen in his place to check the course which was adopted, he should be the last man in the House to check the progress of business, but that not being the case, he should press his motion.

Lord *Stanley:* I am sure, Mr. Chairman, you need to have no apology made for you as to the course you have pursued. It was impossible for you to have interfered when you were aware, that there was no breach of order in violation of the rules of the House. In my judgment there was nothing disorderly or unparliamentary in what took place; and if the hon. Member for Montrose thought otherwise at the time it was quite competent to him to rise in his place to the question of order.

After a few words from Mr. Aglionby and Lord Stanley in reply, the House resumed, the Chairman reported progress and obtained leave to sit again.

House adjourned at half-past one o'clock.

HOUSE OF COMMONS,

Wednesday, June 8, 1842.

MINUTES. BILLS. *Public.*—2°· Sugar Duties; Sudbury Disfranchisement.

Reported.—Slave Trade Suppression (Hayti); Slave Trade Abolition (Argentine Confederation); Slave Trade Treaties.

Private.—Reported.—Leeds Improvement; Leeds Burial Ground.

PETITIONS PRESENTED. By Sir R. Inglis, from Electors of Nottingham, for a New Writ.—From Salford and Macclesfield, for Limiting the Hours of Labour of young persons in Factories.—From Belfast, and Kildare, against Fisheries (Ireland) Bill.—From the Governors of the Glasslough Fever Hospital, and the Ashby Dispensary, against Subjecting Medical Charities to the Control of the Poor-law Commissioners.—From Londonderry, for the Abolition of Church Patronage (Scotland).—From Down, for Additional Provisions to the Lagan Navigation Bill.—From Sleaford, and Coventry, against the Poor-Law Amendment Bill.—From the Guardians of the Holsworthy Union, for Alteration of tke Poor-Law Amendment Bill.—From the Catholics of Hampstead, Clitheroe, Ashton-under-Lyne, and Dukinfield, for Equality of Civil Rights.—From Advocates of free Inquiry, to remit the Punishment of C. Southwell.—From Clonmel, against the Reduction of the Duty on Leather Boots and Shoes.—From the Leicester aad London Mechanic's Institute, that such Institutions may be exempt from the Payment of Rates and Taxes.—From the Western District of Spitalfields, for the Redemption of the Tolls on Waterloo and the other Metropolitan Bridges.—From Attornies at Cockermouth, for the Redemption of the Duty on their Certificates.—From Proprietors on the Rivers Dee and Don, against Salmon Fisheries (Scotland) Bill (No. 2).—From Proprietors of the river Ness, in Favour of Salmon Fisheries (Scotland) Bill (No. 2).

SALMON FISHERIES (SCOTLAND).] On the motion that the Salmon Fisheries (Scotland) Bill (No. 2) be re-committed,

Mr. *Mackenzie* moved that the report be taken into further consideration that day three months. He objected to different clauses of the bill, which was such a mass of inconsistencies that it could not possibly be carried into practical operation.

Mr. *E. Ellice*, jun., remarked that the opposition to this measure did not proceed from any parties representing districts likely to be affected by the bill.

Mr. *A. Campbell* said, he could refute the hon. Member's observation in his own person. He was personally interested in salmon fisheries, and he was strongly opposed to the bill before the House.

The House divided on the original question:—Ayes 88; Noes 20: Majority 68.

List of the NOES.*

Blackstone, W. S.
Broadley, H.
Buckley, E.
Carnegie, hon. Capt.
Cochrane, A.
Connolly, Col.
Duncombe, hon. O.
Gordon, hon. Capt.
Greenaway, C.
Hamilton, J. H.
Hanmer, Sir J.
Hodgson, R.
Manners, Lord J.
Marton, G.
O'Brien, A. S.
Polhill, F.
Pollington, Visct.
Rushbrooke, Col.
Taylor, T. E.
Waddington, H. S.

TELLERS.
Mackenzie, W. F.
Forbes, W.

Bill re-committed and went through committee. The House resumed.

RELIEF FOR DISTRESS.] Mr. *Halford* said, he had been desired to ask a question on a subject about which much uncertainty was felt in the district with which he had the honour to be connected—namely, the mode in which it was intended to distribute the funds to be raised under the Queen's letter. Those letters spoke of the distress of the manufacturing population, and three places were specified, but amongst the artisans of Leicester, and in no place was there greater distress, considerable doubt existed whether they would be held entitled to participate in the funds, and they anxiously wished to know what their prospect was with respect to those funds.

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* We give only the Noes.

Sir *J. Graham* said, that both the sums which might be raised by private subscription and the sums to be raised under her Majesty's letter would be placed at the absolute disposal of the Manufacturers' Relief Committee.

MANSLAUGHTER.] Captain *Polhill* moved the second reading of the Manslaughter Bill.

Sir *J. Graham* felt obliged to oppose the motion. He had consulted with the law officers of the Crown, and the result had been to confirm him in the opinion which he had before entertained. The bill gave a greater power to the coroner than any other single magistrate possessed at present. Even two magistrates sitting in petty sessions had not the power, unless under considerable restrictions and limitations, but no such limitations were laid down in this bill. Under existing circumstances he did not think this power could be safely granted to coroners.

Mr *Barneby* was sorry to hear that the right hon. Baronet was determined to oppose the bill, and hoped that he would give his consideration to the subject, in order to remedy the inconveniences and hardships which were perpetually arising under the present law.

Captain *Polhill* must press his motion. This was a measure of legislation for the poor as well as the rich. Under the present law a rich man could get bail on a charge of manslaughter by *certiorari* before the Queen's Bench, a course which, of course, a poor man could not afford. The bill was intended to give the coroner the power of admitting to bail, so as to save this expense.

Mr. *F. Maule* concurred in the objections of the right hon. Baronet the Home Secretary, and must also oppose the bill.

Motion negatived on a division, when the mover could not find a second teller.

CUSTOMS' ACTS—THE TARIFF.—COTTONS.] House in committee on the Customs' Acts.

On the question that there be a duty of 5 per cent. *ad valorem* on all cotton manufactures imported from British possessions,

Mr. *Mangles* proposed the substitution of a duty of 3½ per cent. He grounded his proposition on the condition of the cotton manufactures of the East Indies, as he had stated to the House on the previous evening. As the manufacturers of India had been ruined in their own markets, this country ought in justice not to impose so high a duty on their productions here.

Mr. *Gladstone* said the difference proposed was so slight, and the object so minute, as to be scarcely worthy so much attention as had been bestowed upon it. The proposed change would not make a difference of 50*l.* a-year to the India trade.

Mr. *Hume* thought this was a favourable opportunity of doing justice to India at a very small expense.

Dr. *Bowring* entreated the right hon. Gentleman to make this small concession. It was a step in the right direction, and would, he was sure, give general satisfaction both in this country and in India.

Mr. *W. Williams* said, they had other countries to compete with besides India, and unless the price of the necessaries of life was reduced to the French and German level he should not feel himself warranted in supporting the amendment. If the question went to a division, therefore, he should support the proposition of the Government.

Mr. *F. Baring* would not raise the question of differential duties again, and the only point therefore for discussion was the amount. That question was not so trifling or microscopic as the right hon. Gentleman opposite seemed to think. The House of Lords' committee, of which Lord Ellenborough, who had been selected by the Government as the person of their own party best acquainted with Indian affairs to undertake the government of that country, was the chairman, had recommended 3½ per cent., and not 5 per cent. They stated moreover that the question was one of principle, and they recommended the removal from the schedule of duties of an inequality that served no purpose but to injure those against whose industry it was directed. He would support the amendment.

The *Chancellor of the Exchequer* said,

that the question was, if differential duties were to be established in favour of the colonies, whether the rule should be applied to all our colonial possessions, or whether each colony should be dealt with upon a distinct principle. Unless the House were prepared to say that a distinctive rule should be applied to each particular colony it would negative the proposition of the hon. Gentleman opposite, which embodied that principle.

Mr. *M. Philips* said, that on the part of the cotton manufacturers of this country he repudiated any desire for the proposed differential duty.

The committe divided, on the question that the blank be filled with "three pounds ten shillings."—Ayes 42; Noes 56: Majority 14.

List of the Ayes.

Aglionby, H. A.
Aldam, W.
Antrobus, E.
Astell, W.
Barclay, D.
Baring, rt. hon. F. T.
Barnard, E. G.
Bodkin, J. J.
Bowring, Dr.
Brodie, W. B.
Brotherton, J.
Browne, hon. W.
Busfield, W.
Cobden, R.
Colborne, hn. W.N.R.
Ebrington, Visct.
Fielden, J.
Guest, Sir J.
Hawes, B.
Johnston, A.
Lyall, G.
Marsland, H.
Masterman, J.
Mitchell, T. A,
Morison, Gen.
O'Brien, W. S.
O'Connell, M. J.
Philips, M.
Rundle, J.
Scholefield, J.
Scott, R.
Seymour, Lord
Sheppard, T.
Somerville, Sir W. M.
Stansfield, W. R. C.
Stanton, W. H.
Stuart, Lord J.
Thornley, T.
Vivian, J. H.
Watson, W. H.
Wood, C.
Wood, G. W.

TELLERS.

Mangles, R. D.
Hume, J.

List of the Noes.

Barrington, Visct.
Brocklehurst, J.
Clerk, Sir G.
Cockburn, rt. hn. Sir G.
Connolly, Col.
Cripps, W.
Darby, G.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir C. E.
Duncombe, hon. O.
Eaton, R. J.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Forbes, W.
Fuller, A. E.
Gaskell, J. M.
Gladstone, rt. hn. W. E.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Grimsditch, T.
Halford, H.
Hamilton, W. J.
Hampden, R.
Hervey, Lord A.
Humphery, Mr. Ald.
Jackson, J. D.
Knatchbull, rt. hn. Sir E.
Lascelles, hon. W. S
Lincoln, Earl of
Lockhart, W.
Mackenzie, T.
Mackenzie, W. F.
Master, T. W. C.
Milnes, R. M.
O'Brien, A. S.
Palmer, G.
Patten, J. W.
Peel, J.
Polhill, F.
Pollington, Visc.
Pusey, P.
Rashleigh, W.
Richards, R.
Rolleston, Col.
Round, C. G.
Rushbrooke, Col.
Smyth, Sir H.
Somerset, Lord G.
Stewart, J.
Sutton, hon. H. M.
Vernon, G. H.
Williams, W.
Wortley, hon. J. S.

TELLERS.

Freemantle, Sir T.
Pringle, A.

Blank filled with "five pounds."

On the question that 12*l.* 10*s. ad valorem* be imposed on damask, and 5*d.* the square yard on damask diaper,

Mr. *S. Wortley* objected to this reduction. It was true that, generally speaking, the linen trade needed little or no protection, but still, if any branches of the trade were placed in different circumstances from the others, it would be but right to make some allowance for those branches. This indulgence had been granted to a particular branch of the iron trade. The parties on whose behalf he addressed the committee did not ask for a prohibitory duty; on the contrary, they did not object to a considerable reduction, but they were of opinion that a reduction of 50 per cent. in the existing duty was was as much as should be made with safety, and with that they would be satisfied. The proposed reduction of from 40 to 15 per cent. was more than the branches he referred to could contend with. In Belgium the raw material was grown, and France and Germany could add to their home stock at a cheaper rate than could be effected in this country. It should also be taken into consideration that the suffering class of handloom weavers were the persons who would be most materially affected by the proposed reduction. Under these circumstances, he hoped the right hon. Gentleman would reconsider his proposition.

Mr. *Gladstone* did not think the proposed reduction could be considered too great. The proposed duty was on the whole a fair one, and afforded as much protection as was compatible with the general principles of the tariff. As to the arguments drawn from a reference to Belgium, France, and Germany, he thought it was better to draw deductions from what had already taken place, and what was warranted by experience, than from future prospective suppositions. Though Belgium produced the raw material, its import of linen yarn from this country was considerable. Germany sent but little in the way of linen to this country, and even that little was principally fancy goods. There were, therefore, no signs of dangerous competition, nor did he see any reason why an exemption from the principle which governed the tariff generally should be made in favour of this article.

Proposed duties agreed to.

On the question that the duty on cotton, or waste of cotton wool, the cwt., be 2*s.* 11*d.*

Dr. *Bowring* said, that in rising to propose that the duty on cotton wool be repealed, he was only demanding the application of a principle universally recognised by political economists,—admitted by the Ministers—and sanctioned by almost universal opinion, that the raw materials we manufacture were not fit objects for taxation. And if this were a principle applicable to all such materials, how peculiarly did it apply to the raw material of our greatest and most important production—that which beyond all comparison employed the largest number of hands —the largest amount of capital, and upon which beyond any other hung the heaviest consequences of weal and woe. He wished to grapple at the very outset with the strongest objection which had been urged, or could be urged, against its repeal; namely, that it involved a sacrifice of a 640,000*l.* But the extent of the revenue was the extent of the grievance. The very amount—the enormous amount levied on this most extensive of our fabrics was in fact, the true ground of the complaint he had to put forward. If the impost was enormous in amount, the very heavy demand which it made upon industry, was the paramount reason for its reduction. The amount of the duty represents the interest involved in its reduction—and it cannot for a moment be urged that the matter is trifling in its character or its results—so that he had alike to claim the benefit of a general principle,—and was able to show that the violation of that principle by taxing such a raw material as cotton was attended with most disastrous consequences. If ever there were a moment when, more than any other, the exigences of the case were strong, and the necessity of the repeal peremptory, it was the present moment;—when the manufacturer was in such a state of depression—not to say despondency. The millions of capital involved were daily diminishing—the millions of human beings employed were daily falling into a worse condition. He would read to the committee a single passage, in a memorial to the right hon. the Prime Minister, from the spinners and manufacturers of Ashton and its neighbourhood, and he assured them that there was no exaggeration whatever in the statement,—that it was entitled to full credence and ought to make a strong impression:—

> "That your memorialists are individuals having the whole or a greater part of their capital invested in cotton mills and machinery, and directly and deeply interested in the prosperity of the cotton trade in this important district.
>
> "That this great branch of our national industry has been extremely depressed for a period quite unexampled in the history of commerce; and is, at the present moment, reduced to a condition which no language can possibly exaggerate.
>
> "That the capital invested in this trade is rapidly decreasing, and in great danger of being annihilated,—that the privations and distress of the working classes are daily becoming greater and greater, and the means of employing them less and less,—and that their masters vainly struggling with their multiplied difficulties, view, with dismay, the moment approaching, when, unless relieved by some unlooked-for contingency, they will be inevitably compelled to throw large numbers of them for support upon the parish."

Now, at the present prices of cotton wool, the duty levied by the State was estimated at from 6 to 7 per cent. on the raw material. Even in times of great prosperity, so high a duty would be a very serious burthen upon production; but in times of distress—in times when the severest struggle was going on to enable our manufacturers to maintain possession of foreign markets—such a duty became intolerable —such a duty gives an advantage to our rivals against which it is often difficult, sometimes impossible to contend. And in many articles, where the raw material forms the main cost of the manufacture, he should show, that the inroads of the articles from North America and elsewhere, were of the most alarming character. He begged to call the attention of the committee to the extremely unfair conditions under which the cotton manufacturers of Great Britain were compelled to enter on the field of competition. Was it right, that they who were the representatives of that production to which more than any other the greatness and the opulence of this country were due, should be selected, as it were, to bear burthens from which their rivals were altogether, or almost wholly free? Look at France; she levied on all cotton imported from America, a duty of 20f. per 100 killogrammes; but she gave a privilege on all cotton imported from the Levant, and raised on that only 15f. per 100 killogrammes. But France gave a drawback of 25f. per 100 killogrammes, on all the cotton goods she exported, so that the French manufacturer had his raw material at something better than duty free. Now, on what ground of equity could the Goverment of this country levy 7 per cent. on raw cotton worked up by our manufacturers and then wonder that they suffered from this most disadvantageous position in which they were placed. For how did it operate in fact? He would show the committee the gradual increase of importation of cotton wool into France, and the still more proportionate increase in the exportation of cotton manufactures. In 1820, France imported of cotton wool 20,000,000 killogrammes; in 1830, 30,000,000; in 1840, 53,000,000. There was an increase of 160 per cent in twenty-one years in the consumption of the raw material. But now how much more striking—how much more rapid has been the increase of the exports of the manufactured article. In 1820, France exported of cotton manufactures to the value of 29,000,000f.; in 1830, it was 55,000,000f.; in 1840, it was 107,000,000f.; showing in twenty years an increase in exports of 78,000,000 of francs, or of 270 per cent in amount, and proving that the growth of the export trade was the principal source of the largely increased importation of the raw article. Not less striking was the progress of the import of the raw material, and the exports of cotton manufactures from the States of the Prussian commercial league. In 1833, the amount of raw cotton imported was 92,212 cwt. In 1836, it was somewhat more than doubled, and amounted to 187,858 cwt., and in 1840, it was 328,951 cwt., being an increased importation of 236,000 cwt. or 260 per cent. But the increased exports of cotton manufactured goods was far greater. For in 1833, it was only 23,324 cwt.; in 1836, it was only 84,273 cwt.; and in 1839, (the last year of which he had the official eturns), it was 107,766 cwt., making an augmented exportation of 360 per cent. But did the Prussian States follow our example, and levy a duty of 7 per cent on cotton wool? Not they. The importation was free. In Switzerland, too, a country which nothing but the protective and prohibitory systems of other nations would ever have raised into manufacturing prosperity—a country whose adhesion to the great principles of free trade had enabled to overcome a thousand natural disadvantages and disabilities, in Switzerland, no duty was raised either on the import of cotton, or indeed of any other article, and we were met by the competition of Switzerland in all the markets of the world. In the United States still more alarming was the rivalry. There the manufacturer had the advantage of the adjacency of the raw material, and there it would be seen that the consumption of cotton has gone on with a most rapid and progressive increase. In the years 1827-30, the average growth of raw cotton in the United States was 870,000 bales, while the quantity consumed by their domestic manufacturers was 118,000 bales, or about one-eighth of the whole production, which in the years 1837-40, the average growth being 1,691,000 bales; the consumption by their manufacturers at home was 260,000 bales, being considerably more than one-eighth of the whole. In the same period even more striking has been the growth of the export trade, for while in 1830 it scarcely exceeded 1,000,000 of dollars in value; it amounted in 1840 to 3,549,000 dollars, of which three millions consisted of the article of domestics or white calicoes. Thus while the general increase of the consumption of raw cotton at home for all purposes of manufactures had in ten years amounted to about 100 per cent.; the exports of raw material had increased to the enormous extent of 250 per cent. In this state of things was it wise—was it prudent—was it in any respect justifiable to continue upon the manufacturers of this country so heavy and unequal a charge! Nor did any of the accounts from abroad add to the anticipation of brighter prospects. France was again proceeding in the spirit of restriction and of hostility he bitterly lamented. He never had understood the policy which had led to the alienation of France. He deeply deplored that unfortunate meddling with the affairs of the East whose results had been in every way disastrous. But he did hope that in sacrificing the alliance of France to the vain and idle dream of establishing the sultan's authority, we had at least secured the friendship of Russia—who had so cordially, so naturally, and so sagaciously concurred in our policy; and that we should have seen in the covering of her tariffs, and in the extension of our trading relations with the dominions of the Tzar, some recompense for the alienated feelings of the French nation. Not so, however. Another Russsian tariff has just appeared; heavier duties; new protections; severer restrictions upon our trade; that, and that only, have we gained from Russia in return for our fraternal embraces. And even the Prussian league has shown symptoms of a disposition to increase the duties on our cotton manufacture. Some of the states have already applied for an augmentation of cent. per cent. upon our cotton twist. From the other side of the Atlantic, we are menaced with a large increase of duties—with new difficulties in that most important of all our foreign markets. In such a state of things, how could the right hon. Gentleman refuse to relieve the cotton manufacturer to the extent of that duty which was now in the receipt of the Treasury? He was sure no valid reason would be urged for its continuance. It would be far better that the property-tax should be increased than that the dangers which surrounded the greatest of our commercial and manufacturing interests should be allowed to undermine and destroy it. He therefore moved, that the duty on cotton wool be reduced to 1*d.* per cwt.

Mr. *M. Philips* seconded the motion. While the present duty continued he believed our cotton manufacturers would be placed every year in a worse condition than the preceding. He asked for the consideration of this question, because he believed, that the present duty placed the operative portion of the community in a worse position than the operatives in the United States and other countries. The charge for the raw material paid by the American manufacturers, did not exceed one half of the charge paid by the English manufacturers, who, besides, had to pay for a quantity of rubbish and waste, which was incorporated with the raw article. He asked not for protection, but he desired freedom, and he thought that instead of throwing away revenue from the timber duties, it would be more wise to give relief to the millions who suffered from the effects of the present duty on the import of raw cotton.

Mr *Gladstone* had no fault to find with the general principles on which the two hon. Members had founded their observations; but there were other considerations that made it necessary to levy the proposed duty. With regard to the reduction of the timber duties, it had this recommendation—its effects would be felt over almost the whole of the industrious population. If there existed a surplus revenue, and the House had now nothing to think of but to reduce duties, the question might assume a different shape; but unless the committee were prepared to open the whole financial arrangements of the year, and to make additions to the taxation in other directions, they could not agree to the proposed reduction of the duty which would deprive the revenue of 640,917*l.* That was the amount of duty levied on cotton wool in 1840. With respect to America, whose competition appeared so formidable to hon. Gentlemen opposite, it was worthy of remark, that apprehensions of a similar nature were felt in that country with respect to the competition of England, and fears were expressed in America, which possessed the raw material, that the English manufacturers, by their skill and machinery, would be able to undersell the American manufacturers in their own market. It appeared, from a report of a committee of Congress of the present year, that the American manufacturers complained of the cheapness of the English manufactured goods imported into America; and they were apprehensive that by mixing East India cotton, which could be obtained in England at a cheap rate, with a portion of American, the British manufacturers would drive the Americans out of their own market for coarse cottons.

Mr. *Brotherton* supported the amendment. He conceived that the present duty operated most injuriously on the British manufacture; and he hoped, that whenever an opportunity occurred the Government would remove this tax altogether.

Mr. *Humphery* was sure, that if this duty was taken off the labouring manufacturers would not receive a farthing benefit from it.

Mr. *W. Patten* said, that looking to

the tariff as a whole, he should support the proposition of the Government, though he did so with regret as to this particular article, and he hoped, that at an early period the duty would be removed.

Mr. *Cobden* wished to know how this tariff, consisting of 750 articles, could be looked at except in detail; and when they did that they would say, that there was great wisdom in the right hon. Baronet's telling them, that it was to be taken as a whole, for on examining its parts, it would be found to fall wofully short of what the country had a right to expect from the magniloquent speech of the right hon. Baronet. Upon articles that entered largely into the consumption of the people the duties were not lessened, and why?—because, as it was said, the revenue would be affected. But had they not had the Income-tax in order that the duties on those great articles of consumption should be taken off? The present condition of the manufacturing class ought to be a signal to the aristocracy of this country. Bolton, Stockport, and Paisley were pauperized, and what were they to do with such a population? The right hon. Gentleman opposite said, the Americans were afraid of our competition. But what was the reason given by the Americans? They said, "We cannot compete with the pauper population of England."

Mr. *P. Howard* supported the motion of the hon. Member for Bolton, which would, he conceived, afford almost instantaneous relief to the distressed hand-loom weaver and suffering artizan, from the impulse it would give to industry. The relief so given would not be at the cost of any British producer, it was not like the reduction of the duty on foreign grain coupled with a doubt as to the effect of the measure on the home-grower. Cotton was not the growth of English soil, and, consequently, its unrestrained admittance into British ports, did not involve any sacrifice from competition.

Mr. *Fielden* said, there could not be a doubt, that this was a very impolitic tax. At the same time, he did not believe in free-trade doctrines, he denounced them altogether. He was one of those who thought, that taxation should be reduced, but that protection should be continued; for if it were abandoned, this would be one of the poorest countries in the world. As to the duty on this particular article, it amounted, at the present rime, to 7 per cent., and if it were removed, it would be possible to buy articles at 4 per cent. less than the present prices. He should, therefore, support the proposition of his hon. Friend.

The committee divided on the question, that the blank be filled up with "One Penny":—Ayes 44; Noes 97:—Majority 53.

List of the AYES.

Ainsworth, P.
Aldam, W.
Armstrong, Sir A.
Brocklehurst, J.
Brodie, W. B.
Brotherton, J.
Browne, hon. W.
Busfeild, W.
Cobden, R.
Crawford, W. S.
Escott, B.
Evans, W.
Fielden, J.
Forster, M.
Gibson, T. M.
Heathcoat, J.
Howard, P. H.
Hume, J.
Johnston, A.
Layard, Capt.
Marsland, H.
Mitcalfe, H.
Morrison, J.
Norreys, Sir D. J.
O'Brien, W. S.
Pechell, Capt.
Protheroe, E.
Rice, E. R.
Roebuck, J. A.
Rumbold, C. E.
Rundle, J.
Scholefield, J.
Scott, R.
Smith, B.
Stansfield, W. R. C.
Stanton, W. H.
Thorneley, T.
Turner, E.
Wakley, T.
Wawn, J. T.
Williams, W.
Wood, B.
Wood, C.
Wood, G. W.

TELLERS.
Bowring, Dr.
Philips, M.

List of the NOES.

Acton, Col.
Bailey, J.
Bankes, G.
Baring, hon. W. B.
Barrington, Visct.
Beckett, W.
Bell, M.
Blackburne, J. I.
Boldero, H. G.
Botfield, B.
Bowes, J.
Broadley, H.
Bunbury, T.
Cardwell, E.
Carnegie, hon. Capt.
Chetwode, Sir J.
Chute, W. L. W.
Clerk, Sir G.
Cockburn, rt. hn. Sir G.
Colvile, C. R.
Cresswell, B.
Darby, G.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir H.
Douglas, Sir C. E.
Dancombe, hon. O.
Egerton, W. T.
Egerton, Sir P.
Follett, Sir W. W.
Forbes, W.
Fuller, A. E.
Gaskell, J. M.
Gladstone, rt. hn. W. E.
Gore, M.
Gore, W. O.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Greenall, P.
Grimsditch, T.
Grogan, E.
Halford, H.
Hamilton, J. H.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Henley, J. W.
Hepburn, Sir T. B.
Hervey, Lord A.
Hinde, J. H.
Humphery, Mr. Ald.
Jermyn, Earl
Johnstone, H.
Jones, Capt.
Kemble, H.
Knatchbull, right hon. Sir E.

Lambton, H.
Lascelles, hon. W. S.
Lawson, A.
Lincoln, Earl of
Lockhart, W.
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.
Mainwaring, T.
Marsham, Visct.
Marton, G.
Master, T. W. C.
Masterman, J.
Mundy, E. M.
Newry, Visct.
Nicholl, rt. hon. J.
Palmer, G.
Patten, J. W.
Peel, J.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Price, R.
Rolleston, Col.
Rose, rt. hon. Sir. G.
Round, C. G.
Rushbrooke, Col.
Russell, C.
Sanderson, R.
Scott, hon. F.
Sheppard, T.
Smyth, Sir H,
Somerset, Lord G.
Stewart, J.
Sutton, hon. H. M.
Trevor, hon. G. R.
Vane, Lord H.
Verner, Col.
Wortley, hon. J. S.
Young, J.

TELLERS.

Fremantle, Sir T.
Pringle, A.

Blank filled up with "two shillings and eleven pence."

On the question of the duty on sheep or lambs' wool, be one half-penny per pound,

Mr. *C. Wood* spoke as follows:* I now rise, Sir, to make the motion of which I have given notice, and to propose to the committee, that the duty on the importation of foreign wool into this country shall be reduced to the same amount as that which is to be paid on the exportation of British wool, namely, 1*s.* per cwt. The duty at present payable on the import of wool, and which her Majesty's Government, in the tariff now before us, propose to continue, is 1*d.* per lb. on all wool, the value of which exceeds 1*s.* per lb. and one halfpenny per lb. on all wool below that value. Hon. Gentlemen will at once see, that my proposal is similar in principle to that which we have already been discussing, namely, a reduction of duty on the import of the raw material of one of the great branches of our manufacture. After the decision to which the committee has come, againt reducing the duty on the import of cotton wool, I do not know, that I should have thought it necessary to trouble them with the proposal which I am about to make, if I did not feel, that there were circumstances in the case of the wool trade, materially differing from those of any other of our chief manufactures, and which form, in my opinion, a much stronger ground for the reduction of this duty than can be alleged in other cases. No one can be more convinced than I am of the wisdom of reducing the import duty on all articles which form the raw materials of our manufactures. But I will not weary the attention of the committee by repeating, on the present occasion, any of the general arguments for that policy. The necessity of pursuing it has been fully and repeatedly admitted by the Government, in the course of these discussions—I will only say, at present, that I claim the advantage of that general reasoning in support of my proposal: and I must beg, that hon. Gentlemen will not refuse me the benefit of the argument, in consequence of my unwillingness to trespass unnecessarily upon their time, and upon their patience. In like manner, I will abstain from repeating any of the arguments derived from the present distressed state of the manufacturing districts, which have already been so strongly urged upon us in the earlier part of this evening. I will only call to the recollection of hon Gentlemen, the vivid picture of the destitution existing in Leeds, one of the chief seats of the clothing trade, which was drawn at the opening of the Session, by my hon. Friend, who seconded the address. I will refer also to the still greater destitution which prevails in those places which are the seat of the clothing trade in the West of England. Gentlemen may remember that a county meeting was held in Wiltshire, in the course of last autumn, to consider the means of relieving the starving population of those districts, and, if I am not mistaken, the attention of Parliament was called to the subject. I will do no more than thus briefly allude to these circumstances, for the purpose of shewing that the manufacturers of clothing, who consume in their trade the wool which is the subject of my motion, are suffering, equally, at least, with others in that general distress which, I grieve to say, prevails so universally and so severely throughout those parts of the country where our chief manufactures are carried on. I do not wish to dwell upon these melancholy circumstances which are common to all, as I abstain from repeating the arguments which apply to the importation of all raw materials. I think that I shall best discharge my duty by confining myself to those peculiar considerations which apply exclusively to the clothing trade, and which form the special grounds on which I ask the assent of the committee to my proposal for reducing the duty on the import of sheep's wool. The first and most important circumstance which I would press upon the attention of hon. Gentlemen is the fact, that whilst the exports of all other manufactures, (in whatever state of distress they may now be,) are increasing, the export of cloths is gradually falling off. By reference to the official tables for some years back it will be seen that the quantity of cotton goods, of linen goods, of worsted goods, which have been sent to foreign countries is larger now than in previous years, whilst that of cloths is less. It is not, therefore, with any state of depression for which causes of a temporary nature may be assigned, which, it may be hoped, will pass away with an improved state of things in this and in foreign countries, that we have to deal; it is with a steady and gradual decline. Year after year, for many years back, the exports of this manufacture have been decreasing. Year after year, this trade, once the staple trade of England, which for centuries it has been the policy of the Legislature to foster with peculiar, though often misjudging, care, is leaving our shores. Our foreign competitors are gradually, but surely, beating us in foreign and neutral markets, and excluding us from those of which we once had the almost entire possession. In the next place, there is this distinction between the import of wool and that of almost any other raw material which is produced in this country as well as abroad: that the British producer has as strong an interest in the importation of the foreign article as the manufacturer, or as the consumer. With regard to many articles, the British producer is more or less alarmed that the foreign produce may interfere with his market, and lower the price of his article; but in the case of wool, that which is produced abroad is indispensably necessary, in order that British wool may be worked up with advantage. I am speaking now of the finer description of foreign wools. In proportion to the import of such wools, is the power of using British short wool increased; and if the quantity brought into this country is diminished, the means of using British wool are diminished also, and the price to be obtained by the British wool grower will, of course, be lower. It is therefore a peculiar feature of this trade, that there is no opposing interest on the part of the home producer; and I would particularly call this fact to the attention of those Members who represent the agricultural interest, especially those who are connected with Sussex and the southern counties, where short wool is chiefly grown. It is fortunate for the consideration of this subject that we have the benefit of much experience, and also of the searching inquiry of a committee of the House of Lords, which sat in the year 1828, to inquire into the state of the wool trade; and by whom a great deal of valuable evidence was collected. The most able witnesses of all descriptions were examined; and we have therefore upon this subject a mass of information such as we possess upon hardly any other branch of our trade. Before, however, I proceed further, I must point out to the committee a distinction which does not appear in the Parliamentary papers, and of which probably few gentlemen are aware. We speak of the woollen and worsted manufactures as one trade, precisely as we do of the linen or the cotton manufactures; whereas in fact there are two branches in the trade, almost as distinct from each other as from the cotton or from the linen trade. These two branches of the woollen trade are carried on in different places, and employ a different material; the exports of the one branch are increasing, whilst those of the other are diminishing. The distinction between the two consists in the difference of the material which is used. In the worsted or stuff trade, what is technically called combing wool, or more commonly, long wool, is used; in the cloth trade, carding, or short wool. The long wool which is used in the former is exclusively grown in this country, or in our colonial possessions; the latter, or short wool, is almost entirely the produce of foreign countries; and it is very remarkable that the exports of the manufacture which uses untaxed wool, be it British or colonial, are increasing, whilst those of the manufacture which depends upon foreign wool paying the duty which I seek to reduce, are diminishing. The only wool therefore with which we have to deal is short wool, fit for clothing purposes. The articles which are made of this description of wool, are those contained in the three first columns of the Parliamentary paper* which I hold in my hand, and which are headed, "cloths of all sorts," "napped coatings, duffels, &c., &c.," "kerseymeres." Into these a very small portion of British wool enters. Indeed I may say that more than nine-tenths of the wool produced in this country is now classed as long wool. Little or no English wool is used in the manufacture of cloth, except such portion of each fleece as is thrown out in the sorting as being too short for the purpose of combing. I know very well that I should call down upon myself the censure of the Gentlemen who are interested in the growth of wool in this country, if I ventured to say that British wool had deteriorated of late years: and I will therefore adopt the expression which was used by some of the agricultural witnesses examined before the Lord's Committee of 1828, that "it has undergone a change in its character." A much larger portion of it is now adapted for combing. Lord Western, whom nobody will suspect of being unfavourable to agriculture, and who has paid as much attention to it as any man in this country, and especially to the breeding of sheep, stated in his evidence in 1828,

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* From a corrected Report.

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* No. 237. Session 1842.

> "That South Down flocks have been crossed with long-woolled sheep; the reason is, that the wool of the sheep so crossed, though inferior in point of fineness, has a longer staple, and fetches a higher price than even the finest of the South Down fleeces. It becomes a totally different description of wool."

Mr. Tower also, a gentleman who has paid great attention to breeding sheep, and whom many of us may remember as a Member of this House, says:—

> "I shall have occasion shortly to allude to the extraordinary alteration that has taken place in the growth of wool since 1820, in the production of so much more wool for combing purposes. The price of that description of wool has got higher in proportion than any finer sort."

He was asked if any depreciation had taken place in the wool, and he answers:

> "Certainly not. I should say a substitution of one sort for another has taken place. The growth of the long wool is rather superseding the short wool."

And he further says, that he is,—

> "Clearly convinced that this country is unable to produce any considerable quantity of the finest wool requisite for our manufactures."

The alteration in the nature of wool grown in this country, which is described in the above extracts from the evidence in 1828, has been going on to a greater extent since that time, and partly from this cause, and partly from the improvements in machinery, by which the manufacturers are enabled to comb and use as long wool, a great deal of wool which was too short in the staple to be so used with the old machinery, nearly the whole of the wool grown in England is now used in the worsted and stuff trade as combing wool. Indeed the produce of long wool in this country is so large that not only does it supply all our own manufactures, but a very considerable quantity is exported annually, and to show not only how little the British wool-grower has to fear from foreign competition, but also the advantage which he has derived from the repeal of the heavy duty on the export of wool in 1828, I will state the quantities of British wool exported in several years. In 1827, the year before the duty was taken off, the quantity exported was 278,552lbs.; in 1828, 1,669,389; 1830, 2,951,100; 1835, 4,642,604; 1840, 4,810,387; and in 1841 the enormous quantity of 8,471,235. In addition to this the export of woollen yarn rose in the three last years above stated, from 2,357,336lbs., in 1835, to 3,796,664, in 1840, and to 4,903,291, in 1841. These statements are conclusive, I think, as to the fact that the British wool-grower, speaking generally, has nothing to fear from the introduction of foreign wool. The wool which we import is in truth of a totally different description, and no competition or rivalry exists between them. The British producer enjoys the advantage of the free export of his produce, which is sent abroad in considerable quantities, and furnishes to those continental houses who manufacture articles made of long wool, the means of competing with our own manufacturers of similar goods. In no way whatever can those who grow long wool be affected by the importation of short wool, which forms the material of a totally different manufacture. I have dwelt on this point more at length perhaps than I should have done, but I know how sensitive some Gentlemen are to everything which may be supposed to affect the agricultural interest even in the remotest degree, and I was more than usually anxious, therefore, to remove even the shadow of an apprehension from their minds. It is then short wool only, and the articles made of short wool alone, that my motion can possibly affect; and I propose to show that even the producers of the very small quantity of short wool now grown in this country derive the most evident benefit from the introduction of foreign wool. For this purpose I must refer shortly to the history of the wool trade for some years back, which is full of instruction on this point. I will only remind the committee that the arguments used against the imposition of a higher duty, or for reducing that duty when imposed, are precisely applicable, *mutatis mutandis*, to the proposal which I am about to make for reducing the present rate of duty. Before 1818, the duty on the importation of foreign wool was 1*d.* per lb. In that year it was raised to 6*d.* per lb., and I believe, that a more unwise and impolitic tax never was imposed. In every possible way, the effects were most prejudicial to this country, to the consumer, to the manufacturer of cloth, and to the producer of British wool. The exports fell off, the price of British wool fell, and the only parties who were gainers by it were our rivals, the foreign manufacturers. The declared value of the woollen goods exported fell off, as follows:—

Years.	Goods made of Short Wool.	Long and Short Wool mixed.	Long Wool.
	£.	£.	£.
1819	5,829,000	614,300	2,603,000
1820	4,361,000	391,000	2,146,000
1821	3,742,000	328,000	2,208,000

The committee will observe, that in the space of two years, the value of the exported goods, into the manufacture of which the short wool entered, on which the heavy duty was laid, diminished, of the first description more than two-fifths, and of the second about one-half; whilst of the last description of goods which were made of English wool, the diminution was but trifling. The evidence given in 1828, as to the effect on the price of British wool, both of the imposition and the repeal of the 6*d.* duty, is equally striking. I have taken the evidence, not of the growers of the wool, or of the manufacturers who use the wool, but of wool-brokers, who, with the best means of information, have no interest to warp their opinion either way; and I have taken the evidence of four persons from different parts of the country to avoid all possibility of partiality. First, as to the imposition of the 6*d.* duty. Mr. Sutcliffe, a woolstapler, at Huddersfield, in Yorkshire, says:—

"The tax upon foreign wool lowered the price of English wool. It did not force into use the low wools of England."

Mr. Cunningham, a woolstapler in Wiltshire says:—

"When the duty was put on in 1819, the English market immediately fell."

Mr. Fison, a wool dealer at Thetford, says:—

"In conversing with Mr. Coke previous to that time, I told him my opinion was, that a tax laid upon wool imported would have a tendency to diminish the price rather than to advance it, and the result has proved that I was correct."

As to taking off the duty, Mr. Hughes, a wool-broker in London, says:—

"It was extraordinary, that when the duty was taken off, wool rose in price."

And Mr. Sutcliffe (whose evidence has been given above), speaking, in 1828, gives his opinion, that

"The imposition of a tax of 6*d.* would have the effect of throwing more of the South Down wool out of use."

Such was the effect on the grower of British wool. It only remains to see what was the effect on the foreign manufacturer. Mr. Sutcliffe again tells us:—

"It (the 6*d.* duty) set the foreigners on the continent to work, by their getting the wools cheaper than we did. They got a footing in America; they furnished Russia on better terms than we could do; and that duty on wool in 1819 did more for the continental manufacturers than all their own power could have done for them."

Mr. Bischoff, a merchant in London, intimately connected with the clothing districts, and whose knowledge on the subject probably exceeds that of any other person, states what happened in his own case. He says, that during the period when the high duty was in existence,

"He showed some Prussian cloth to merchants trading to South America, and that they gave him large orders which were executed in Prussia. I sold in eight months of that year (1824), 6,000 pieces of Prussian cloth for South America and the East Indies. The reduction of the wool-tax put an end to that trade."

In 1824, the 6*d.* duty was repealed, the price of English wool rose, and the exports of woollen goods increased. But it appears, from other parts of the evidence, with which I will not trouble the committee, that our manufacturers never recovered possession of several of the markets which were lost during the period when the scale was turned in favour of the foreigner by the existence of this most impolitic impost. The price of English wool rose, because our manufacturers could now obtain a larger supply of the foreign wool, without which they could not work up into cloth, to advantage, that portion of English wool which was applicable to that purpose. But beyond this, a very large portion of the cloth which is worn by all classes, is made entirely of foreign wool. The most unequivocal testimony on both these points was given by various witnesses in 1828; and, it is of so much importance, that I must trouble the committee with some extracts from their evidence. Mr. Cook of Dewsbury, after speaking of some other matters, says:—

"In other goods we use one-third or two-thirds of British wool. We could not use that British wool without the aid of foreign wool. We should get no orders."

Mr. Swaine, a manufacturer near Leeds, was asked,

"Would not the consequence of that (the exclusion of foreign wool) be the disuse of so much British wool?"—Answer. "Certainly."

"Are the committee to understand, that the introduction of foreign wool into the country enables a manufacturer to work up English wool that he could not otherwise employ?"—Answer. "Decidedly so; as regards the markets referred to."

Mr. Gott, who was one of the largest manufacturers of cloth in England, and a most intelligent gentleman, said—

"All British wool that I am acquainted with is improved by the introduction of foreign wool."

And further—

"If any person sent to me for a cloth of 7*s.* or 8*s.* per yard, and it was made of English wool, it would be sent back to me; and I must resort to foreign, or foreign mixed with British, to execute the order."

Mr. Varley states, that—

"An admixture of foreign tends to increase the consumption of English wool. That he could not find a sufficient sale for it at home or abroad, without mixing it with foreign wools."

He produced some samples of cloth before the committee, and he was asked,

"If you made this particular cloth of English wool three years ago, why do you not continue to make it of English wool now, English wool being so much cheaper?"—Answer. "Our customers would not buy it of us."

"What customers?" "In London and Leipsic."

Mr. Ireland produced two samples of cloth made of wool of equal price; the one of foreign, and the other of English wool. The cloth made from the latter he could not sell "at any price." The former he could sell "as fast as he could make it;" and he further stated,

"If we were to attempt to make our livery cloths of English wool, we could not sell them at all. We are obliged to make an article we can sell."

Mr. Shephard stated, that

"A moderate admixture of foreign wool is the best means by which we can relieve the short wool grower; for, by the introduction of an admixture of a moderate portion of foreign wools with South Down wools, we make a very excellent cloth, and one that I think will assist very materially in running off the South Down wools."

Such was the evidence given in 1828, and from the best inquiries which I have been able to make amongst the manufacturers and dealers in cloth, it affords no unfaithful representation of what is the state of things at present. There is, however, this difference since that time, that whilst the taste for the finer descriptions of cloth has extended amongst us, and to a great extent amongst even the lower orders, a less proportion of British wool is applicable for the purpose of making it. The necessity, therefore, for the importation of foreign wool is greater than it was. I confess that, till I inquired into this subject, I was not aware, that even the cloth of which the liveries of our servants is made, consists entirely of foreign wool. I find that the only cloth now made in this country which is altogether made of British wool, is what is called army cloth, which is worth about 3*s.* 9*d.* per yard. All cloth which is worth 5*s.* and upwards per yard, is made entirely of foreign wool: and the small quantity which is worth between 3*s.* 9*d.* and 5*s.* per yard, is made of an admixture of foreign and British wool. I think, Sir, that I have now demonstrated that even the producer of short wool in England has the most direct interest in the importation of foreign wool, but I believe, that, in truth, the quantity of British wool used in making cloth is so small, that we may consider the manufacture of cloth as one which is altogether dependent on the importation of foreign wool for the supply of its raw material. We have then this strong contrast, that whilst the exports of the manufacture which depends only on British and colonial wool, are increasing, the exports of the manufacture which depends on the import of foreign wool are diminishing; and it is in the competition with the foreign manufacturer using the same wool, but without having the same duty to pay, that we are beaten. In order that the committee may be aware to what an extent the diminution of this trade has gone, I will proceed in the first place to shew the falling-off of the exports, and in doing so I will not trouble the committee with the amounts of a number of less important articles. I will only take two or three of the principal articles in the Parliamentary Paper which I hold in my hand. The result would be the same, if I included the others, but the statement of figures would not be so simple. I am about to state the quantities of the principal articles of the woollen manufacture exported in various years, and I take the main article of each branch, first, "cloths of all sorts;" and next, "woollen and worsted stuffs;" and I have added for the sake of illustrating my argument, another article in which a portion of cotton is introduced. The introduction of cotton makes, upon the whole, a cheaper description of goods, and the increase of the exports of this article is a most convincing proof of the effect of cheapness in extending consumption. I begin with the year 1821, but I must observe that it is a very unfavourable year to take for my argument, because the high duty on the import of wool was in existence in that year. The case would have been stronger if I had taken a year before 1818; but upon the whole I preferred taking decennary periods. The statement is taken from the returns before Parliament. The exportation of cloths of all sorts was:—In 1821, 375,464 pieces; in 1831 436,143 ditto.; in 1841, 213,125 ditto. The export of woollen and worsted stuffs was:—In 1821, 1,078,428 pieces; in 1831, 1,800,714 ditto; in 1841, 2,007,366 ditto. That of woollen mixed with cotton —In 1821, 627,800 yards; in 1831, 1,000,004 ditto; in 1841, 5,015,087 ditto. Nothing can be more striking than the great falling-off in the first article, made of foreign wool; while the export of stuffs made of British and colonial wool has been doubled; and that of the last article has increased to a most extraordinary extent. The declared value of all the woollen and worsted goods exported in the same years, was as follows: In 1821, 6,402,866*l.*; in 1831, 5,232,013*l*; in 1841, 5,748,673*l.* This diminution may probably be, in part, accounted for, by the diminished value of the raw material of the manufacture; but at any rate inasmuch as the exports of all other woollen goods are increasing, it shews too clearly the falling-off in the value of the export of cloths. This falling-off is however much more striking when it is compared with the export of our manufactures of other goods; whether the raw material of which they are made, be of home growth, or imported from abroad. In order to shew this to the committee, I have drawn up a statement of the exports of different goods for the years 1833 and 1840. I have taken these periods because by doing so I am enabled to include in the comparative statement the exports of woollen goods from France, and also from Prussia in those years. A paper has recently been laid upon the Table of the House, prepared at the Board of Trade, by Mr. Macgregor, one of the secretaries of the Board, containing the French tariff, and various information relative to the trade and exports from that country. Amongst the statements is one of the exports of woollen goods from France to various countries in the two years 1833 and 1840. Mr. Bischoff, to whom I have already referred as one of the highest authorities upon everything connected with the wool trade, has published a statement from official sources, of the export of woollen goods from Prussia for the same years. I have availed myself of this information, and have taken, except in two instances, the same years for the statement as to English goods. The exportation of cloths of all sorts from this country was—In 1833, 597,189 pieces; in 1840, 215,747 ditto. Of woollen and worsted stuffs — In 1833, 1,690,559 pieces; in 1840, 1,718,617 ditto. Of woollen and worsted yarn—In 1833, 2,107,478 lbs., and in 1840, 3,796,644 lbs. I am not able to state the quantities of cotton and linen goods exported in 1840, inasmuch as Mr. Porter's tables are not published beyond 1839; and I have therefore taken that year as being the last which I could quote. The exportation of cotton goods, yarn, &c. was—In 1833, 18,486,000*l.* declared value, and in 1839, 24,550,000*l.* ditto. Of linen goods—In 1833, 63,232,509 yards, in 1839, 85,256,542 ditto. Of linen yarn—In 1833 935,682 lbs., and in 1839, 16,314,615 lbs. Hon. Gentlemen will observe that whilst the export of linen yarn has increased so enormously—of linen goods more than one-third, of cotton goods, nearly one-third, of woollen and worsted yarn, between one-third and one-half, and that of woollen stuffs to some small extent —the exports of cloths has diminished almost in the proportion of three to one. The prospect is indeed most appalling for the very existence of the trade, but it becomes still more so when we turn to the exports of foreign countries, which have been increasing to a very great extent, whilst that of our cloths has been thus falling-off, and that of our stuffs but slightly improving. The export of woollen goods from Prussia was, according to Mr. Bischoff's statement, — In 1833, 46,395 centners, in 1840, 62,773 ditto. The value of the woollen goods exported from France was—In 1833, 36,633,000 francs, and in 1840, 61,634,000 ditto. It is true that these statements include woollen goods of all descriptions, but by far the greater portion consists of cloths. But, Sir, if there can remain a doubt upon any man's mind, as to the falling-off of our exports of woollen goods, and that the cause of it is chiefly to be attributed to the competition of the foreign manufacturer, I think the statement which I am about to make will dispel it. In Mr. Bischoff's paper, from which I have quoted before, he selects certain countries, of the markets in which we in former years had nearly the exclusive possession. I think that nobody will question this when I name them. He has given the value of the woollen goods exported from France to those countries in the years 1833 and 1840, extracted from the Parliamentary paper of the French tariff. I have taken the same countries, and stated the quanity of cloth, that of woollen and worsted stuffs and the declared value of all the woollen and worsted goods exported to those countries in the years 1833 and 1840, together with the value of the French woollen goods exported to the same countries in the same years. The statement is as follows:—

Exports of Cloths of all Sorts,—of Woollen and Worsted Stuffs,—and Declared Value of all Woollen und Worsted Goods Exported to the undermentioned Countries in the Years 1833 *and* 1840; *also the Value of the Woollen Goods Exported from France to the same Countries in those years.*

Countries to which Exported.	Cloths of all Sorts.		Woollen and Worsted Stuffs.		Declared value of All woollen and worsted goods.	
	1833. Pieces.	1840. Pieces.	1833. Pieces.	1840. Pieces.	1833. £.	1840. £.
United States . .	271,503	44,235	511,701	272,865	2,265,407	1,069,721
Spain and Canaries .	2,987	452	49,903	34,679	111,969	82,679
Italy	12,483	1,805	90,357	125,954	220,512	222,554
Russia . . .	4,891	1,276	28,309	55,808	93,072	128,919
Brazil	24,190	15,334	50,770	74,091	274,568	307,930
Mexico and South American States . .	36,934	41,417	37,325	81,078	382,515	541,329
	352,988	104,519	760,245	604,475	3,048,043	2,153,132
Value of woollen goods exported from France to the same countries £.					554,040	1,064,980

The comparison in this statement between the value of the exports from England and France, embraces, in both cases, all the woollen goods of every description; and the committee will see that the French have increased from half a million to a million, whilst the English have diminished from three millions to two, in round numbers. Can there be a more convincing proof that our manufacturers cannot maintain their ground against foreign competition? The chief diminution is in the export of cloths, which have fallen off from 350,000 to 100,000 pieces; and this manufacture is, as I have before stated, the one which is altogether dependent on the foreign wool on which the duty is payable. It is evident that some cause is in operation which is gradually sapping the foundations on which our trade rests, and that unless we can take some measures to arrest the progress of this decay, we must be prepared to witness, at no distant period, the destruction of the export trade in cloths. I know not to what cause, except to the cheapness of the raw material to the foreign manufacturer, we can attribute the success which attends his competition with this country. There can be no doubt that we had the trade once, and that the foreigners are now depriving us of it. We have the advantage of capital; we have the advantage of skill; I am inclined to believe, that we have the advantage in cheapness of effective labour. In one thing only have they the advantage, and that is in the greater cheapness of the raw material. I saw only the other day, some specimens of foreign cloth, compared by experienced cloth merchants, with some specimens of similar British cloth, produced by the manufacturer, and the result was, that the finish and appearance of the English cloth was the finest; but the material of the foreign cloth was superior to ours. In these circumstances the event cannot be doubtful, they may attain our skill; and we ought not to refuse to our manufacturers the advantage of the cheapness of the material. The export duty on wool from the Prussian league is about three farthings per lb., and the main part of the fine wool which we import comes from Germany. Large clothing establishments have been established near Aix-la-Chapelle, in the Prussian dominions: and the manufacturers there have no duty whatever to pay on their material. There are also extensive manufactories in Belgium, at Verviers, and elsewhere: they have of course the export duty from Prussia to pay, but there is no duty on the import into Belgium. In France there is a duty on the import of wool, but it is more than counter-balanced by a large bounty on the exportation of woollen goods. In this country the manufacturers have of course the Prussian export duty to pay: and in addition the duty of 1*d.* per lb. on the importation into this country. This necessarily gives a material advantage to the foreign manufacturer, against which it is not to be expected that those of this country can maintain their ground. I have no fear of the result if we place them on equal terms. The only difference against this country is the import duty of 1*d.* per lb., and this it is which I earnestly press upon the committee to reduce. I am aware, that it may be urged against me, that the duty cannot be any serious obstacle to the importation of wool, since the quantity imported has increased very considerably during the existence of the duty. It will be found, however, on reference to the returns, that the increase is in the lower description of wool, or in colonial wool. The importation of the higher-priced wool has actually fallen off, and it is with the finer wool that I am now dealing. The quantity of wool which pays the duty of 1*d.* per lb. entered for home consumption in different years, is as follows:—in 1831, 26,655,551 lbs.; in 1835, 26,877,780 lbs.; but in 1841, 22,051,796 lbs., whilst the quantity of wool paying the duty of a halfpenny per lb. rose from 1,017,408 lbs. in 1831, to 10,198,526 lbs., in 1835, and to 14,495,002 lbs., in 1841, and the quantity of wool from our colonial possessions, which pays no duty, was, in 1831, 2.397,362 lbs.; in 1835, 4,635,811 lbs.; and in 1841, 16,310,916 lbs. From the same returns we have the quantities of German wool, and for the last fifteen years they have been gradually falling off. The quantity of German wool entered for home consumption is as follows:—In 1825, 28,799,661 lbs.; in 1830, 26,073,882 lbs.; in 1835, 23,798,186 lbs.; in 1840, 21,812,099 lbs.; and in 1841, only 20,958,775 lbs. I think no further proof is necessary to dispose of the argument against my proposal, derived from the increased import of wool. I trust that I need say nothing more to prove that the English wool-grower will not be injured by an increased importation of foreign wool. His own produce, the long wool, is exported in large and increasing quantities; and it must be remembered that a much larger importation of clothing wool from abroad is rendered necessary, by the circumstance that so large a portion of the British wool that was formerly applicable for this purpose is now converted to the purposes of the long-wool manufacture. The foreign wool is, in truth, needed in order that we may manufacture cloth at all. I come now to the amount of duty which I propose: it is the same as that on the exportation of British wool, namely 1*s.* per cwt., and I have adopted this amount, because from the date of the earliest communications which took place on the subject of the wool duties: the principle which has been uniformly held by the Government has been, that the rate of duty on the import and export should be the same. Gentlemen, who are conversant with what passed in 1821, will remember that the offe which Lord Liverpool made to the deputation, who waited upon him was, that if they would consent to the repeal of the high duty on the export, he would propose the repeal,to a similar extent of the duty on the import of wool. I will quote as decisive evidence on this subject, part of the speech which was made by the present Lord Ripon, when, as Chancellor of the Exchequer, he proposed his budget in 1824. He said—

> "Whenever the parties have sought the abrogation of the law, they have always been told, 'you have no right to object to this duty so long as you require that the produce of the British wool-grower shall be confined to the consumption of this country.' This opinion we have never concealed, either in Parliament, or from the persons engaged in the trade, to whom we have invariably said, 'If you will consent to the removal of the impolitic restriction on the exportation of British wool, we will propose to Parliament the repeal of the duty on foreign wool.' A part of the plan, therefore, which I shall submit to the House, will be to reduce the duty on the importation of foreign wool from 6*d.* a lb., at which it is at present, to 1*d.* a lb., which it was before the year 1819; and to allow the free exportation of British wool on the payment of the small duty of 1*d.* also; and thus to put them on a level, keeping the balance even between the two."

The principle of equality between the import and the export duty, is here most clearly laid down, and the proposals of the Government having been carried, so matters remained till 1828. In that year, great distress was supposed to prevail amongst the growers of British wool: and in order to relieve them, the duty on the export of wool was reduced. At the time, however, Mr. Bischoff, whose name I have so often mentioned, and who took a leading part amongst the wool manufacturers, had an interview with Lord Bathurst, then the President of the Council; and urged their claim to have the duty on the import reduced at the same time. Lord Bathurst did not hesitate to admit the justice of the claim. He said, however, that the Government could not then make the reduction on the import: that they reduced the duty on the export as a boon to the wool-growers in their distress; but that they must postpone carrying out the recognised principle of equality till a more favourable opportunity. I trust, Sir, that this opportunity has now arrived. I trust, that a Government in which the Nobleman who laid down the principle in 1824, presides over the department charged with the care of the trade and commerce of the country, will now carry that principle into practice. I know, that the manufacturers have always considered the expectations then held out to them, in the light almost of an express engagement; one part of which has been fulfilled to the manifest advantage of the parties interested in the export of wool, but the fulfilment of the other part of which has been unfairly withheld from them. I will not argue the question on this ground, but I do call upon the Government, remembering the principles which have been avowed on this subject, and the reasonable expectations created in the minds of the manufacturers, not to withhold from them in their distress, that boon which was conceded to the agriculturists in 1828. I call upon them to mete out equal measure to both parties, and sure I am, that the circumstances of those, in whose favour I am pleading, are such as to form the most unanswerable claim upon our consideration. Sir, I have hitherto spoken almost entirely as to the importation of the higher qualities of wools; but the grounds for reducing the duty on the low priced wools, though of a different description, are equally strong. It is true, that the importation of this kind of wool has increased very considerably; but the rate of duty is out of all proportion to the value of the article, and presses upon it most unfairly. The duty is ½*d.* per lb., but in many cases it operates so as to amount to a charge of 1½*d.* per lb. Great part of this coarser wool is brought from countries in a very low state of improvement; where the ordinary processes of cleaning the wool are utterly unknown. The wool, therefore, comes to this country mixed with dirt and other foreign matter to such an extent, that 3lb. weight of the article in the state in which it arrives, is often reduced to 1lb. before it undergoes the first process of manufacture. This duty, therefore, becomes most enormous on the raw material actually used. Even if this be not the case, the duty far exceeds the rate which the First Lord of the Treasury proposed for the limit on the raw material of any of our manufactures. That limit was to be 5 per cent.; but I hold in my hand a letter containing the particulars of a quantity of wool recently imported, in which the ½*d.* duty amounted to 13 per cent., and if taken on the price of the wool when shipped, to 18 per cent. In consistency, therefore, with the avowed principle of the tariff, this duty ought to be reduced. I know not, that I can add any thing to the simple statement of facts which I have laid before the committee; but before I sit down I must briefly notice one argument which I have heard urged against the reduction of the duty on the importation of German wool, which is, that if we reduce our import duty, the Germans may raise their export duty by precisely the same amount; so that our manufacturers will not be in any way benefitted by the reduction. I canot believe, that this argument will be seriously urged by any of the right hon. Gentlemen opposite. It is, of course, true, that the Prussians may raise their export duty, and they may do so, whether we reduce our import duty or not; but the Prussian or Saxon farmer has the same interest in exporting his wool, that we have in importing it; the export duty on their wool has indeed lately been reduced; and I do not believe, that there is any ground whatever for apprehending, that they have any disposition to raise it. But the argument, such as it is, must be equally good against the reduction of any import duty whatever. Indeed I have heard it urged against reducing the duty on foreign corn. In that case, however, and in many others, the Government have wisely neglected so absurd an apprehension; and I do not anticipate, that it will be seriously urged even as an argument in the present case. The last and great objection which will be used against me, is, of course, the state of the revenue; as it was in the case of the duty on cotton wool. I must observe, however, in the first place, that the amount of revenue in question in the two cases is very different. The revenue raised by the duty on cotton wool, amounts to upwards of 600,000*l.*, which it was proposed totally to repeal; whilst the loss by my proposal would not exceed 100,000*l.* The weight, however, of the argument derived from the state of the revenue is entirely destroyed by the manner in which the Government propose to dispose of the surplus revenue to be derived from the Income-tax. The more I consider the manner in which they have applied that surplus, the more injudicious I think their selection of the articles on which they have made the great sacrifice of revenue. I do not mean to undervalue the advantage of cheap timber; but I am convinced that other duties might have been reduced with much more advantage to the country. I believe that the necessity for the reduction which I am advocating to be far greater than any benefit to be derived from the same amount of reduction on timber. I entertain the same opinion as to the duty on many articles of consumption, which are untouched in the tariff. I will not, however, pursue this argument further, as it has already been urged on the committee on former occasions. I will only say, that when I look at the amount of loss which the adoption of my proposal would entail, and the manner in which the Government deals with other articles, I do not think that any consideration of this kind should interfere with the reduction of duty on the import of wool: that reduction is called for both in policy and in justice. It seems to me to be absolutely necessary for the preservation of the old staple trade of England; and I sincerely hope, that the committee will agree with me in that opinion. I move, Sir, that the duty henceforward payable on the importation of all foreign sheep and lambs' wool be reduced 1*s.* per cwt.

Mr. *Beckett* said, that the hon. Member for Halifax having referred to that part of the country with which he was connected, he was sorry to say, that he felt it his painful duty to state, that as yet there had been no improvement in the cloth markets. The documents referred to by the hon. Member elucidated the state of trade up to January last, but events had occurred since that time which corroborated the statements of the hon. Member, and showed that there was no prospect of a revival of trade. To illustrate how trade had suffered he would just mention one instance. The North American Fur Company had for a number of years annually sent orders to Gott and Company, of Leeds, for goods to the amount of 10,000*l.*; this year, however, that order had been given to the French. The effect of this one instance would be to transfer 2,500*l.* to a foreign country—a sum which had hitherto been laid out in wages in Yorkshire, and which was equal to six weeks' poor rates. There was no interest in the country which would not benefit from a relaxation of the duty. He hoped the Chancellor of the Exchequer would consider that the tax derived from restrictions on labour was very different from that which was derived from the free employment of the people. Looking, therefore, to the interest of all parties, he felt he could conscientiously advocate this relaxation, and support the motion of the hon. Member for Halifax. He was sorry that the right hon. Baronet at the head of the Government was not in the House, because, had he been present, he would have appealed to him to grant this relaxation to the woollen trade. When he considered how much higher the duty on wool was compared to the duty on cotton, he thought that he was fairly entitled to ask the Government to consent to the reduction proposed.

Mr. *Gladstone* acknowledged the importance of the woollen manufacture, and could assure the hon. Gentleman that the whole question had received the best and most matured consideration of the right hon. Baronet at the head of the Government. But, considering the state of the revenue, it was impossible for the Government to give up the sum which would be sacrificed by the proposed reduction of the duties on cotton and wool. A considerable remission of duties had been made with regard to indigo, and other articles used in the process of dying, amounting to 150,000*l.*, which must be beneficial to the manufacturers.

Mr. *C. Stansfield* supported the amendment.

Mr. *S. Wortley* said, there was enough in the state of the manufacture to justify those who took an interest in it in supporting the motion of the hon. Member for Halifax. Whatever might be said, the tax would press very heavily on the lower qualities of wool. He implored the Goverment to bear in mind the state of this trade.

Mr. *Aldam* opposed the proposition of the Government, and read letters from manufactures in the north, showing that it would be highly prejudicial to their interests. He would vote for the amendment.

Mr. *W. Lascelles* said, that the decline of the woollen trade was not to be disputed, and it was owing, in his opinion, to the operation of the tax upon the raw material. That tax ought to be reduced.

The committee divided on the question that the duty be 1*s.* per cwt.:—Ayes, 65; Noes 122:—Majority 57.

List of the AYES.

Aglionby, H. A.
Ainsworth, P.
Aldam, W.
Armstrong, Sir A.
Baring, rt. hon. F. T.
Bowring, Dr.
Brodie, W. B.
Brotherton, J.
Browne, hon. W.
Busfield, W.
Cavendish, hon. G. H.
Cobden, R.
Crawford, W. S.
Denison, E. B.
Duncan, G.
Escott, B.
Evans, W.
Fielden, J.
Gibson, T. M.
Gill, T.
Granger, T. C.
Hardy, J.
Heathcoat, J.
Howard, hn. C. W. G.
Howard, P. H.
Howick, Visct.
Hutt, W.
Labouchere, rt. hn. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Marshall, W.
Milnes, R. M.
Mitchell, T. A.
Morris, D.
Norreys, Sir D. J.
O'Brien, W. S.
O'Ferrall, R. M.
Pechell, Capt.
Philips, G. R.
Philips, M.
Plumridge, Capt.
Protheroe, E.
Rundle, J.
Russell, Lord J.
Sandon, Visct.
Scholefield, J.
Scott, R.
Seymour, Lord
Sheppard, T.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Stansfield, W. R. C.
Stanton, W. H.
Strutt, E.
Thornely, T.
Vivian, J. H.
Walker, R.
Wallace, R.
Wawn, J. T.
Williams, W.
Wood, B.
Wood, G. W.
Wortley, hon. J. S.
Wrightson, W. B.
Yorke, H. R.

TELLERS.

Beckett, W.
Wood, C.

List of the NOES.

A'Court, Capt.
Alexander, N.
Allix, J. P.
Archdall, Capt.
Bailey, J.
Baldwin, B.
Bankes, G.
Baring, hon. W. B.
Barrington, Visct.
Bell, M.
Bentinck, Lord G.
Blackburne, J. I.
Blackstone, W. S.
Boldero, H. G.
Botfield, B.
Bradshaw, J.
Broadley, H.
Broadwood, H.
Buckley, E.
Cardwell, E.
Christopher, R. A.
Chute, W. L. W.
Clerk, Sir G.
Cockburn, rt. hn. Sir G.
Colvile, C. R.
Coote, Sir C. H.
Cresswell, B.
Cripps, W.
Darby, G.
Dawnay, hon. W. H.

Desart, Earl o
Dickinson, F. H.
Douglas, Sir C. E.
Dowdeswell, W.
Duncombe, hon. O.
East, J. B.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Emlyn, Visct.
Farnham, E. B.
Fellowes, E.
Fitzroy, Capt.
Forbes, W.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gladstone, T.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Greenall, P.
Grimsditch, T.
Grogan, E.
Hamilton, J. H.
Hamilton, W. J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Heathcote, G. J.
Henley, J. W.
Hepburn, Sir T. B.
Hervey, Lord A.
Hinde, J. H.
Hodgson, R.
Hussey, T.
Jackson, J. D.
Jermyn, Earl
Johnstone, H.
Jones, Capt.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, F. W.
Lefroy, A.
Legh, G. C.
Liddell, hon. H. T.
Lincoln, Earl of
Litton, E.
Lockhart, W.
Lowther, J. H.
Lyall, G.
Mackenzie, T.
Mackenzie, W. F.
Mainwaring, T.
Marsham, Visct.
Master, T. W. C.
Masterman, J.
Mundy, E. M.
Newry, Visct.
Nicholl, rt. hon. J.
Owen, Sir J.
Patten, J. W.
Peel, J.
Plumptre, J. P.
Pollock, Sir F.
Praed, W. T.
Pusey, P.
Reid, Sir J. R.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, J.
Rushbroke, Col.
Ryder, hon. G. D.
Scarlett, hon. R. C.
Scott, hon. F.
Shirley, E. J.
Sibthorp, Col.
Somerset, Lord G.
Stewart, J.
Sutton, hon. H. M.
Taylor, J. A.
Trench, Sir F. W.
Trevor, hon. G. R.
Tyrell, Sir J. T.
Vere, Sir C. B.
Verner, Col.
Wodehouse, E.
Worsley, Lord
Yorke, hon. E. T.
Young, J.

TELLERS.

Fremantle, Sir T.
Pringle, A.

Mr. *G. W. Wood* moved, that the duty on imported sheep and lamb's wool, not being of the value of 1*s.* the pound, be reduced to 1*s.* the cwt.

Mr. *Gladstone* admitted, that there was a distinction between the case involved in this proposition and that in the last, arising out of the higher rate of duty on the low class of wools, but as at the same time the trade in them was increasing he did not think it would be expedient to alter, in reference to these wools, the general principle which the committee had just affirmed.

The committee divided on Mr. G. W. Wood's proposition:—Ayes 47; Noes 96:—Majority 49.

"Duty on all wool to be one halfpenny "the pound."

House resumed. Committee to sit again.

House adjourned.

[We omit the lists of the second division on wool, as the principle of the question decided, was the same as on the first division, which included all the names of the second.]

HOUSE OF LORDS,

Thursday, June 9, 1842.

MINUTES.] BILLS. *Public.—Reported.*—Civil Bill Decrees.

3^{e}· and passed:—Fines and Recoveries (Wales and Cheshire); Jurisdiction of Justices.

Private.—2^{a}· Mostyn's Estate; Viscount Lorton's Estate; City of Glasgow Life Assurance Company; Lincoln Roads; St. Pancras Improvement; Brentford Gas; Boston Harbour (No. 2); Ely Place Improvement; Boston Harbour (No. 3); Camberwell and Peckham Lighting.

Reported.—Duke of Argyll's Estate; Kingstown Mariner's Church; Toxteth Park Paving and Sewerage; Warkworth Harbour; Liverpool Borough Court; Dundalk Road; Gravesend Terrace Pier.

3^{a}· aud passed:—Drogheda Harbour; Yarmouth and Norwich Railway; Dundee and Arbroath Railway; Indemnity Mutual Marine Insurance Company.

Committed.—Hawke's Divorce; Ashton's Divorce.

PETITIONS PRESENTED. By the Earl of Yarborough, and Lord Western, from Lincoln, and Maldon, against the Income-tax Bill.—By Earl Stanhope, from the Members of Benefit Societies at Kelemdon, Rawseth, Rayleigh, and South Benfleet, for the Repeal of the Poor-law Amendment Act.—From the Sawyers of Manchester, against the use of Machinery.—From Blackmore, Doddinghurst, and Kelvedon Hatch, against the measures for the Alteration of the Corn-laws.—By the Earl of Bandon, and Viscount Lorton, from Dromdaleague, and Ashfield, for the Encouragement of Schools in connexion with the Church Education Society (Ireland).—From the Newmarket Farmers Monthly Meeting, for Protection to the Agricultural Interest.—From the Island of Foulness, against the Reduction of the Duty on Coriander, Mustard, Carraway, and Canary Seeds.—By Lord Western, from the Gardeners at Colchester, Coggeshall, and Halsted, against the Reduction of the Duty on Onion Seed.—From the Magistrates of Leith, against the Granton Ferry Bill.

Adjourned.

HOUSE OF LORDS,

Friday, June 10, 1842.

MINUTES.] BILLS. *Public.*—2^{a}· Property (Income) Tax.

3^{a} and passed:—Civil Bill Decrees (Ireland).

Private.—2^{a}· Wicklow Harbour; Metropolitan Wood Paving Company; North American Colonial Association (Ireland); Gravesend Town Pier; Fleetwood Improvement; Medbourn Inclosure; Lough Foyle Drainage.

Reported.—Great North of England Railway; Boston Harbour (No. 3); Brentford Gas; Burntisland and Granton Pier and Ferry.

3^{a} and passed:—Duke of Argyll's Estate; Kingstown Mariner's Church; Warkworth Harbour; Liverpool Borough Court; Dundalk Road; Gravesend Terrace Pier; Ashton's Divorce.

PETITIONS PRESENTED. By the Earl of Yarborough, the Marquess of Clanricarde, and the Marquess of Normanby, from York, Grimsby, Burnley, St. James's, Westminster, and Poole, against the Property Tax Bill.—From the Guardians of the Ware Union, for Exemption from the Payment of Parochial or County Rates.—By the Bishop of Exeter, from Derby, Brailsford, and Kentisbeare, against any further Grant to Maynooth College.—From Dalbury, for Church Extension.—By the Bishop of Exeter, from Frome, and Selwood, for the substitution of Declarations in lieu of Oaths; and from Drumleare, Tashinny, Abbeyshrub, Armaduff, Kemps District, and Connor, for the Encouragement of Schools in connexion with the Church Education Society (Ireland).—By Lord Brougham, from Mill-owners at Bingley, for Limiting the Hours of Attendance of all Persons in the Factories.—From Prince Edward Island, that the Duties on Colonial Corn and Salted Provisions may cease.

Income-Tax.] Viscount *Melbourne*, on the part of his noble Friend (Marquess of Lansdowne) who had given notice of a motion on the Income-tax, and who had been suddenly attacked with indisposition, had no objection to the second reading of the Income-tax bill taking place that night *sub silentio*, on the understanding that his noble Friend's resolution should be moved and the debate taken on the next stage of going into committee.

Arrangement acquiesced in.

Bill read a second time.

House adjourned.

HOUSE OF COMMONS,

Friday, June 10, 1842.

Minutes.] Bills. *Public.*—1°. Perth Prison; Law of Evidence; Justices Jurisdiction.

2°. *Postponed for six months.*—Turnpike Roads.

3°. and passed:—Slave Trade Suppression (Hayti); Slave Trade Abolition (Argentine Confederation); Slave Trade Treaties; Witnesses Indemnity.

Private.—1°. Ashton's Divorce; Rouma's Naturalization; Lesbazeille's Naturalization; Duke of Argyle's Estate.

2°. Bathurst's Estate.

Reported.—Bromyards Roads.

3°. and passed:—Kilmington Inclosure; Britwell Inclosure.

Petitions Presented. By Mr. O'Connell, from St. John's, Newfoundland, complaining of Delay in Convening the Legislative Assembly, and in support of the Existing Constitution of that Island.—By Mr. Fielden, Mr. Stuart Wortley, Mr. Ferrand, Mr. Hindley, Mr. Brotherton, and Lord Ashley, from Oldham, Chorley, Stockport, Royton, Ashton-under-Lyne, Harwich, Warrington, Charlton-upon-Medlock, Todmorden, Littleborough, Wigan, Manchester, Little Bolton, Crompton, Darlington, Huddersfield, Oversden Marsh, Mienden, and other places, for a further Limitation of the Hours of Labour of Young Persons in Factories.—By Mr. Fielden, and Mr. Stuart Wortley, from Honley, Foulston, Golcar, Shepley, Almondbury, Todmorden, and Wakefield, for Alteration or Repeal of the Poor-law Amendment Act.—From the Ross Union, for Reduction of the number of Assistant Commissioners.—From St. Michael's, and Holy Trinity, Coventry, Todmorden, and other places, against the Poor-law Amendment Act.—From Ash, Puttenham, Sealandlong, Sutton, Ash (Surrey), and Farnborough, against the Repeal of Gilbert's Act.—From Dublin, for the Repeal of the Municipal Corporations Act (Ireland).—By Viscount Bernard, from Killaloe, Knockbridge, Taghmon, Ballycormick, Kilcolgan, Kuaria, Aughrina, Killaghton, and other places, for the Alteration of the Present System of Education (Ireland).—From Frome Selwood, for the Substitution of Oaths in Lieu of Affirmations.—From Bristol, for Inquiry into the mode of Education at Maynooth College.—From Bristol, Brecon, Wexford, Brecknock, and the Great Western Railway Company, against any Alteration of the Present System of communication with the South of Ireland.—From the Catholics at Shefford, and Newport, Isle of Wight, for Equalization of Civil Rights.—From Artlechmed, for the Repeal of so much of the Act of 6 & 7, Geo. 4, c. 77, as provides for the Union of the Sees of Bangor and St. Asaph's; and the Appropriation of Surplus Revenue.—From Birkenhead, and Wendover, against Railway Travelling on the Sabbath.—By Mr. Hastie, from the Bengal Chamber of Commerce, for the Reduction of the Duty on its Importation into Great Britain.—From St. Leonard's Shoreditch, for the Redemption of the Tolls on Waterloo and other Metropolitan Bridges.—By Mr. Mackinnon, from Residents in Belgium, for Improved Post-office communication with that country.—From Newport, Bucks., against the Importation of Cattle and Meat.—From Ormskirk, for the Reduction of the duty on Sugar and Coffee.—From the Governors of the Glenslough and Emyvale Dispensary, against placing such Institutions under the Control of the Poor-Law Commissioners.

Waterford (City).] House informed that the committee had determined,—

"That William Christmas and William Morris Reade, esquires, were not duly returned as Members to serve in this present Parliament for the county of the city of Waterford:

"That Henry Winston Barron, esquire (now Sir Henry Winston Barron, baronet,) and Thomas Wyse, esquire, ought to have been returned as Members to serve in this present Parliament for the county of the city of Waterford."

Clerk of the Crown to amend the return accordingly.

Athlone Election.] House informed that the committee had determined,—

"That George De la Poer Beresford, esquire, was not duly returned a burgess to serve in this present Parliament for the borough of Athlone:

"That Daniel Henry Farrell, esquire, ought to have been returned a Burgess to serve in this present Parliament for the said borough of Athlone."

Clerk of the Crown to amend the return accordingly.

Temperance Processions.] Colonel *Acton*, seeing the noble Lord the Secretary for Ireland in his place, wished to ask whether the Government proposed to introduce any measure for regulating or restricting the parading of vast bodies of men dressed in scarfs, and accompanied by bands of music, for the purpose of promoting teetotalism?

Lord *Eliot* said, that it was not the intention of the Government at present to introduce any measure for the regulation or restriction of temperance processions in Ireland. They were not conducted avowedly for any party purposes, and he should be loth to interfere with proceedings which had been beneficial to the lower order of people in Ireland.

Mr. *O'Connell,* as these processions had taken place for the last three years, begged to ask the noble Lord, whether any instance had been reported to the Government of any breach of the peace occurring by reason of any one of them?

Lord *Eliot* could not answer the question decidedly; but he was not aware of any such instance having been reported.

MAGISTRATES (IRELAND)—MR. ST. GEORGE.] Mr. *Fox Maule* begged also to put a question to the noble Lord. Some time since a Mr. St. George had been removed from the commission of the peace in Ireland, in consequence of a letter which he had thought fit to address to his noble Friend the late Lord-lieutenant of Ireland. An application was subsequently made to restore him to the position which he had formerly held, the answer to which was, that on his withdrawing, or apologising for the letter which he had written, there would be no objection to his restoration. It was now stated, however, that Mr. St. George had been restored to his position as a magistrate, without any apology, and without his withdrawing the offensive letter. He begged to ask the noble Lord whether Mr. St. George had apologised for that letter, or had withdrawn it.

Lord *Eliot* said, that shortly after the appointment of the present Lord-lieutenant, a representation had been made to him by the whole of the magistrates for the county for which Mr. St. George acted, supported by the Lord-lieutenant of the county (the Marquess of Clanricarde) who recommended the case to the favourable consideration of the Government. The Lord Chancellor, however, was so strongly impressed with the impropriety of the letter, viewing it as an insult to the representative of the Sovereign, that he refused to comply with the application until an explanation had been given. Such an explanation had been given as had satisfied the Lord Chancellor, and he of his own motion, but with the entire concurrence of the Lord-lieutenant, had reinstated Mr. St. George.

Mr. *Fox Maule* wished to know, whether in the letter written by Mr. St. George to the Lord Chancellor of Ireland, there was an apology for having written the letter to the Marquess of Normanby. He also wished to know whether there would be any objection to lay on the Table the correspondence on the subject between the Lord Chancellor of Ireland and Mr. St. George.

Lord *Eliot* had no hesitation in saying that the apology that had been made appeared satisfactory to the Lord Chancellor. He knew that the Lord Chancellor had refused to restore that gentleman to the commission of the peace, when he was applied to by nearly the whole of the magistracy of the county, until a satisfactory explanation had been made to him. He was not prepared to say whether the communications that had passed were not more of a private than of a public nature. The decision of the whole matter belonged to the Lord Chancellor and he did not think that these papers could be produced.

BLOCKADE OF THE COAST OF MEXICO.] Mr. *D'Israeli* wished to put a question to the right hon. Baronet, of very deep interest to the commerce of this country. There had lately been a modification of the Mexican tariff, which it was supposed would lead to an increase of our commerce with that country. It appeared, however, from a proclamation which had been inserted in the *London Gazette*, that the Secretary of State for Foreign Affairs had received that document, announcing a blockade of the eastern coast of Mexico, by a Texican squadron. The publication of this proclamation in the *London Gazette* had caused great alarm amongst the mercantile classes trading to Mexico. He wished to know whether it were the intention of her Majesty's Government to sanction the blockade, and if it were not intended, then he wished to know why the proclamation had been allowed to be published in the *London Gazette*.

Sir *R. Peel* replied that the insertion of the proclamation in the *Gazette* was in conformity with the usual practice in similar cases. The notification in the *Gazette* was, that a blockade of the coast of Mexico was said to be instituted by the Republic of Texas. It was stated in this form, because there had been no official notification from the Texian authorities. Her Majesty's Government had received a communication from our Minister in America that such proclamation had been issued. The Government, therefore, deemed it to be their duty to give notice to the persons trading to Mexico that it had received such an intimation. The mere notification of the blockade by the proclamation of the Texian government did not make it a blockade in conformity with the law of nations, for the question then was, whether it were a *boná fide* blockade or not. If the blockade were *bona fide*, and according to the custom of this and other countries, it would be binding on us and must be observed. He would only add that he was extremely sorry that such a blockade had been either notified or instituted.

THE GOLD COINAGE.] Mr. *Childers* said the proclamation which had been issued respecting the gold coinage had occasioned great inconvenience, had put a stop to almost all payments, and as he had been informed, had most seriously prevented the payment of rents. He wished to ask whether the bank had the sanction of the Government in cutting sovereigns in two which were presented there, if they should be short in weight, and then, tell the persons who presented them that they might sell them where they could. He need hardly say what would be the loss occasioned by such conduct, in leaving the public at the mercy of Jew money brokers.

The *Chancellor of the Exchequer* observed that the proclamation on the subject of the gold coinage which had recently been issued wes merely a repetition of former proclamations which had been issued from time to time on the same subject, warning the public that sovereigns, below a certain weight, were not a legal tender. He was aware that the proceedings alluded to by the hon. Gentleman had caused great complaints, but the bank had now agreed to receive the light sovereigns at the Mint price of 3*l*. 17*s*. 10*d*. per oz. By this means he trusted they would soon withdraw the light gold coin from circulation.

THE CHURCH OF SCOTLAND.] Mr. *Fox Maule* wished to ask whether the Government had made up their minds to take up the subject on which almost the existence of the Scotch church depended, or whether they intended to allow the discussion on the hon. Member for Argyleshire's bill to come on on Monday.

Sir *J. Graham* said, the House would remember, that at the commencement of the Session, a question was put to him as to whether it was the intention of the Government to bring forward any measure to put a stop to matters which so seriously disturbed the Church of Scotland. He then stated, that after the most careful review of the subject, the Government had determined not to introduce any measure on the subject. So matters stood until the hon. Member for Argyleshire moved for leave to bring in a bill on the subject. The Government did not oppose the introduction of that measure, but a discussion took place, in which it was plainly intimated that to its principle her Majesty's Government was opposed, and that, at a future stage, they would consider it their duty to oppose its enactment. The consequence of that was, that communications were made to the Government from Scotland, which led the present Government to entertain a hope, not very confident, however, that legislative measures, founded on such principles as the Government would be able to support, might conduce to the peace of Scotland, and to the settlement of the disputed points. He had stated to the House that as matters stood at the time, he could not pledge himself to the introduction of such a measure, but that it would be the duty of Government very carefully to consider the representations made to them on the subject before they finally decided. That was on the eve of the meeting of the general assembly of Scotland. That assembly embodied the views of the general Church of Scotland. At the meetings of the assembly proceedings took place which were known to the House, and which he might be permitted to say he deeply deplored, though he would not characterise them by any harsh terms. Yet after careful reflection, he was bound to state to the House that the hope he had originally entertained on the subject had perished, and that Government stood in the same position with respect to the question as at the commencement of the Session. He could not hold out any expectation on the part of the Government, of any measure which would produce those effects which would alone justify their interference in the matter. Under these circumstances, it was open to the hon. Member for Argyleshire to move the second reading of his bill on Wednesday next, when an opportunity would be afforded for full explanation and further discussion on the subject. He therefore thought it would be inexpedient, particularly as the question which had been put to him had been so carefully limited, to enter on the present occasion upon anything like argument on the subject. However, he might be allowed to be explicit upon another point, namely, that it was the intention of Government to oppose the second reading of the bill.

Sir *A. L. Hay* said, that there was a document in existence respecting these proceedings alluded to by the right hon. Baronet, called the claims of right, and which was of a most important nature. He wished to ask whether, before the House proceeded to discuss the bill of the hon. Member for Argyleshire on Wednesday, the right hon. Baronet would have any objection to request her Majesty to lay a copy of this paper on the Table of the House.

Sir *James Graham* was not then prepared to answer the question of the hon. and gallant Member, as no notice had been given that such a question would have been put.

Mr. *Fox Maule* wished to ask the hon. Member for Argyleshire, whether he intended to move the second reading of his bill on Wednesday.

Mr. *A. Campbell* said, that it was his intention to proceed with his bill on Wednesday next.

WRIT FOR NOTTINGHAM] Sir R. H. Inglis rose to move, that the writ for Nottingham should issue.

Sir *G. Grey* wished to know whether his hon. Friend intended to press this motion. He was ready to admit, that if his hon. Friend insisted on his right, that it was competent for him to bring it on, but he would put it to him whether it would be advisable for him to do so. ["Hear, hear!"]

Sir *R. H. Inglis* observed, that the application of his right hon. Friend had not so much surprised him, as the cheers that had come from his right hon. Friend, the Member for Montgomeryshire, because his right hon. Friend agreed with him, that when a vacancy occurred, it was a matter of course that a writ should issue. If it was the opinion of the House, that he should not proceed, he would withdraw his motion. [*Cries of* "Go on"] He believed the impression of the House was, that he should at once proceed with his motion. ["No," and "Hear!"] He thought he should best consult his duty, and at the same time, the prevalent feeling of the House, if he proceeded. He could not, indeed, hope, after the interruption, however good-natured, he had just experienced, that the motion he was about to make would be unopposed, but he threw himself with confidence upon the House. He was totally unconnected with the persons from whom the petition proceeded, and he presumed that the petition had been entrusted to him simply in consequence of the opinion he had expressed upon the subject of issuing writs in general. He did not seek in moving, that this writ should issue, to make the House stultify itself in reference to any of the proceedings which had been adopted upon the motion of the hon. and learned Member for Bath, or in connection with that motion. He did not ask the House to rescind any of the resolutions which stood on its journals respecting the issue of writs. On the day, that the vacancy was declared to exist in the representation of Nottingham, an hon. and learned Friend of his moved, that the Speaker do issue his warrant for the issue of a writ to fill that vacancy; that motion was not negatived; it was met by a motion, which was carried, "that this House do now adjourn." On the 10th of May, the same motion was renewed by the hon. Member for Carlisle; that motion was not negatived; it was withdrawn: and, therefore, so far as the forms of the House were concerned, he was entitled to say, that he was not asking the House to violate any of its rules in reference to this case, but he was asking it to conform to its general rule of issuing a writ when a vacancy for any borough, city, or county is declared. He was not asking the House to take any proceedings which need baffle the object of the hon. and learned Member for Bath. The hon. and learned Member, it was true, had included Nottingham in the list of those boroughs which he had pointed out for inquiry; but all the other boroughs comprised in that inquiry were boroughs, the seats for which were occupied. It was only the happy accident of one of the seats for Nottingham having become vacant, that placed that borough in a different position from Reading, Penryn, and the other places which constituted the preamble of the hon. Member's bill; there was no circumstance in the case which justified the exclusion of Nottingham from its fair share in the representation in Parliament. If there were, on what principle was it that the hon. and learned Gentleman had not moved the exclusion of the sitting Member for Nottingham? [Mr. *Roebuck:* Nothing has been proved yet.] The hon. and learned Member admitted, that as yet he had proved nothing. He thanked the hon. and learned Gentleman for that admission. He would ask, then, were they to disfranchise Nottingham, not only when no proof of its guilt had been given—not only when the sworn committee, after examining witnesses on oath, had made no damnatory reproof—but when the hon. and learned Member himself, upon whose allegation an inquiry into alleged bribery and corruption in this borough was to take place, admitted at once, very honestly and candidly, and very usefully for him, that he had no proof as yet against the constituency of this borough. Under such circumstances, he would contend, that Nottingham was fully entitled to that rule of law, which gave the benefit of a belief of innocence to every borough, to every constituency, to every body corporate, as well as to every individual who has not been proved guilty. There was no instance in the whole Parliamentary history of England in which a writ had been suspended, except on the report of a committee especially directing the attention of the House to the subject. In the present there was no such report, but only the allegation of one hon. Member, who, rising in his place in the House, and very dramatically pointing with his finger, first at his friends on his own side of the House, and then at his opponents on the other, gave forth an *ipse dixit* that this among the other boroughs, was tainted with corruption. He wished to call the attention of the House to some facts. On the 4th of May, a committee of that House reported by its Chairman, that "the committee appointed to try and determine the merits of the election for the borough of Nottingham, declared that Sir J. C. Hobhouse, Bart., and Sir G. de Hochpied Larpent had been duly elected." It appeared from the journals that no proceedings had subsequently taken place, as far as any resolution of the House was concerned, for vitiating the report of that committee, that these Gentlemen were *boná fide* elected. Now, as regarded Sir George Larpent, he had yesterday received a letter from that Gentleman, the substance of which he felt it but an act of justice to his hon. Friend to state. It had been insinuated that Sir George Larpent had withdrawn from the House in order to avoid any proceedings which the hon. and learned Gentleman opposite might take. Now, the fact was — a fact which he had not been acquainted with till he received this communication, that for five weeks before the House had the report of the committee, Sir G. Larpent had been confined to his room by a severe medical and surgical malady, which had, indeed, for the greater part of the time kept him in bed; in fact, the hon. Gentleman had not been in the House of Commons since March. At the same time, he did not mean to say, or suggest, or insinuate, that Sir G. Larpent was induced to accept the Chiltern Hundreds, in consequence of the state of his health; the case did not depend on the state of Sir G. Larpent's health one way or the other, but the fact that he had been so afflicted was sufficient to justify him from the imputation of having vacated his seat in order to avoid inquiry. But the case of Nottingham did not stand alone, nor alone in connection with the other boroughs which the hon. Member for Bath had brought forward. There were many other places to which the hon. and learned Gentleman might with equal advantage have directed his attention, because, strictly speaking, if the hon. Gentleman's proposition that the withdrawal of a Member from his seat in the House after the presentation of a petition against him on the ground of bribery were sufficient to justify another hon. Member in demanding an inquiry into the circumstances of such alleged bribery or corruption, then not merely Nottingham, Reading, Lewes, and the other places in question ought to be comprised in the hon. Gentleman's proposition, but a goodly list of other boroughs, Weymouth, to wit, Clitheroe, Belfast—not Belfast under the new report, but Belfast under the old petition—and a number of other places. He had looked over the whole list of petitions, and he found that besides the six into which inquiry was ordered, there were twenty-one cases in which allegations of bribery had been made, in which the prosecution of the petitions had been withdrawn, and other circumstances of which might seem to place them on the same footing as those boroughs specially named and included by the hon. and learned Member in his Witnesses Indemnity Bill. But the point at issue was this—not whether the hon. and learned Member for Bath was or was not consistent, in taking the six boroughs and not taking the other twenty-one cases, or, indeed, all the cases in which bribery was suggested; but whether he had laid before the House any sufficient grounds for excluding the electors of Nottingham from the exercise of their great constitutional right. The hon. Member for Bath, perhaps, would reply that the matter was not confined to his *ipse dixit*—that there was more in it than that—that a vehement suspicion had been added, from the circumstances that one Member for Nottingham had accepted the Chiltern Hundreds, and that the other right hon. Member had refused to answer the question put to him—circumstances which, by the peculiar reasoning of the hon. Gentleman, were supposed to afford a strong presumption of corruption. The hon. Member reasoned altogether in the way that the people formerly used to decide in cases of alleged witchcraft; if the accused when thrown into the water could swim, she was adjudged guilty and taken out and burnt; if she could not swim, she was allowed to be innocent, but then she was drowned; so, according to the hon. and learned Member for Bath, if an hon. Gentleman admitted, that a compromise had taken place, this admission at once proved him so guilty that he was not eligible to sit again; if, on the other hand, the hon. Member should, as Sir J. Hobhouse had done, refuse to answer, then this refusal would be made an equal proof of guilt, and the hon. and learned Member for Bath, at once proceeded in either case to move that the writ do not issue. The petition which he presented from Nottingham, and which had been printed with the votes, stated the case of the petitioners in a manner so clear and temperate, that did he not suppose every Gentleman present, who had to act that night judicially, whether in giving or refusing his vote for the issue of the writ, had made himself master of this document, he should have been tempted to trespass on the patience of the House by quoting largely from it; as it was he should call the attention of hon. Gentlemen to two or three particular points in the petition. It stated—

"That in consequence of the vacancy thus occasioned, your petitioners expected that your honourable House would have forthwith directed the clerk of the Crown to issue a new writ to the sheriff of the town and county of the town of Nottingham, ordering him to take the usual legal measures for the election of a burgess to serve in the present Parliament for the said borough; but that up to the present moment your honourable House has abstained from giving any such directions, to the great disappointment and manifest grievance of your petitioners. That your petitioners have been informed, and verily believe, that a writ for a new election for the town and borough of Nottingham—which they claim as a right and privilege belonging to the said borough, of which they ought not and cannot be legally divested, at the arbitrary will and pleasure of any single branch of the Legislature—has been withheld from them on the mere surmise and allegation of an individual Member of your honourable House, thus stated in your printed votes:—'That a corrupt compromise has been entered into in the case of the election petition from Nottingham, for the purpose of avoiding investigation into the gross bribery alleged to have been practised at the election for the aforesaid town.' That, if any such corrupt compromise has been entered into, your petitioners are ignorant of its nature, and are in no respect parties to its stipulations; and they, therefore, submit to your honourable House that they ought not to be punished, even by the temporary suspension of their franchises, for an offence of which they are not guilty, and in which they disclaim all participation. That, although grievous allegations have been made against your petitioners on the score of gross bribery practised at the last general election, no proof has yet been adduced in support of such allegations; but that, nevertheless, your petitioners have been condemned to the deprivation of the services of one of their representatives in Parliament without having had an opportunity afforded them to make any defence against such charges—a course of proceeding which they firmly but respectfully maintain to be unknown in the history of Parliament, and in the practice of the courts of law, and to be contrary to the immutable laws of substantial justice. That the law of the land regulates the issue of all writs on vacancies occasioned in your honourable House by deaths, by unjust returns, by the acceptance of office, and by other causes which it is unnecessary to enumerate, and that any new restraint upon the issue of such writs, cannot be legally imposed without the assent of all the three branches of the Legislature. That in all the other cases in which your honourable House has proceeded against boroughs for gross and extensive bribery, it has never suspended the writ until it has received a report from one of its own select committees, declaring that the sitting Members had been guilty by themselves, or agents of such bribery, and no committee has ever yet come to such a report without hearing counsel, and examining witnesses on both sides, in confirmation and refutation of such charges. That in the instance of your petitioners, all these safeguards of justice have been disregarded and set aside, and your petitioners, feeling how deeply they have been aggrieved in being condemned without proof, and in being punished without conviction, implore your honourable House to reconsider the propriety of directing a new writ to issue for the borough of Nottingham."

Now, did the hon. Gentleman mean to tell the House that the individuals signing this petition were parties to the compromise? At the last election, speaking from recollection, there were, he believed, 529 votes for Sir G. Larpent, 527 for Sir J. C. Hobhouse, and 147 and 127 for the other two candidates respectively, showing an aggregate which very little exceeded the number of electors whose petition he had presented, and who declared in that petition that if any such corrupt compromise had been entered into, they were ignorant of its nature, and in no respect parties to its stipulations; and not merely that, but that they were no parties to any of those corrupt practices included in the allegations of the hon. and learned Member for Bath, which the House had been pleased thus far to sanction. The petitioners state,

"That, although grievous allegations have been made against your petitioners on the score of gross bribery practised at the last general election, no proof has yet been adduced in support of such allegations; but that, nevertheless, your petitioners have been condemned to the deprivation of the services of one of their representatives in Parliament without having had an opportunity afforded them to make any defence against such charges —a course of proceeding which they firmly but respectfully maintain to be unknown in the history of Parliament and in the practice of the courts of law, and to be contrary to the immutable laws of substantial justice. That the law of the land regulates the issue of all writs on vacancies occasioned in your honourable House by deaths, by unjust returns, by the acceptance of office, and by other causes which it is unnecessary to enumerate, and that any new restraint upon the issue of such writs cannot be legally imposed without the assent of all the three branches of the Legislature. That in all the other cases in which your honourable House has proceeded against boroughs for gross and extensive bribery, it has never suspended the writ until it has received a report from one of its own select committees, declaring that the sitting Members had been guilty by themselves or agents of such bribery, and no committee has ever yet come to such a report without hearing counsel and examining witnesses on both sides in confirmation and refutation of such charges."

In this case the writ had been suspended, not by any order of the House, but upon what the right hon. Baronet the Member for Devonport called a tacit understanding. His right hon. Friend the First Lord of the Treasury admitted—he believed he ought to apologize to him for using the word, for it was a full and free admission, his right hon. Friend had rather maintained that the issuing of the writ was right, and ought not to be withheld except for a reasonable time, and upon good cause being shown. He asked the House, then, whether he was not entitled, upon the 10th of June, to ask the Speaker to take the necessary steps for issuing the writ? and whether a reasonable time, had not elapsed, and a good cause had not been shown;" what was a reasonable time was a question which could not be fixed by statute; but must be left to the feelings, the principles, and the judgment of the House to determine. He would say five weeks, even on the report of a committee charging a borough with corruption, which was not the case in this instance, but that even then, if no proceeding had been taken to disfranchise the borough, five weeks would have been sufficient time to have been allowed to elapse in order to justify the House in ordering the issue of the writ. Then with regard to "good cause being shown;" the hon. and learned Gentleman himself admitted that he had as yet shown no cause for the suspension of the writ, although five weeks ago he alleged that a corrupt compromise had been entered into by the withdrawal from the House of one of the hon Members. The petitioners also stated that

"They likewise submit with all deference and respect to your honourable House, that the right of the electors of Nottingham to their writ, and a right which has belonged to them for some centuries, not derived from the House of Commons, and therefore not to be taken away by the House of Commons, except upon proof satisfactory to both Houses of Parliament that the electors have offended grievously against the law, and have therefore individually and collectively, forfeited their title to this privilege, which is and must be exercised under the law."

It was a right which, he contended, could only be properly taken away by a bill, that bill becoming an act of the entire Legislature. But, at all events, let them not take it away upon the allegation of an individual member, however learned and acute he might be; let them not do upon the authority of one man that which they had never done before, unless upon the report of a committee, supported by the sworn evidence which was taken before it. Upon these grounds he called upon the House not to refuse to issue a new writ for the borough of Nottingham. To withhold it under the circumstances he had stated, was to substitue allegation for truth it was to punish without trial, and even without indictment — it was to punish those who might be innocent as much as if all had been proved to have been guilty; or, admitting, that some were guilty, it was to punish one hundred innocent men in order that ten might not escape. He had already shown that 1,257 of the electors were no parties to the alleged compromise, and, moreover, were not guilty of those corrupt practices to which that compromise was stated by the hon. and learned Member for Bath to have been owing. He was willing to admit, if a legislative measure involving these boroughs were before Parliament, even though it should not have proceeded through that House, that the legal right of those parties might be suspended; but as he felt he was asking for them no more than any hon. Member would feel himself entitled to ask for any borough whose guilt had not only not been proved, but whose innocence had not been suspected, he should conclude by moving, that the Speaker do issue his warrant to the Clerk of the Crown to make out a new writ for the borough of Nottingham in the room of Sir G. de Hochepied Larpent, Bart., who since his election has accepted the office of Steward of the Chiltern Hundreds.

Mr. G. *Knight*, in seconding this motion, said he had no interest whatever in the matter, except the natural and pardonable interest which any man may be supposed to have in the principal town of the county to which he belongs. He considered that, except in cases of the last necessity, a borough had a right to receive the writ, when a vacancy occurred — that it was no light matter to suspend the privileges of such a borough as Nottingham, and to keep a town, containing 60,000 inhabitants, unrepresented for an indefinite period. And what are the grounds upon which the privileges of Nottingham are suspended? There was nothing before the House but the Report of the Committee, and the Report of the Committee had neither substantiated, nor even brought any charge against Nottingham. The rest was all rumour — reports heard in the streets; and were the privileges of Nottingham to be suspended upon such grounds as no magistrate would think sufficient for detaining the humblest of her Majesty's subjects? And upon what principle of justice was the writ refused to Nottingham, when it had been granted to Ipswich and Newcastle? Would the House let off those against whom something had been proved, and punish Nottingham against which nothing had been brought forward? How would the public be able to understand transactions of so partial and capricious a character? He did not stand there to defend bribery. It would be better for all if no such thing existed. Bribery was the very reverse of charity: it is twice cursed—it curseth him that gives and him that takes; and whatever might have been the amount expended upon the last election, of this they might be sure, that every farthing of it was spent in drink and riot, and not a shilling of it remained to do good to a human being. But that House, in its eagerness to put down bribery, ought not to overstep the bounds of moderation. The elective franchise of a borough used to be considered a very grave matter—a matter of such importance and value, that that House had always been slow to entertain any motion having a tendency to destroy that privilege; but now it was quite another thing. Now because the "Simon Pure" of that House, who was constantly telling them that he was the only honest man, it chose to get up and put a string of the most irregular and disorderly interrogations (such interrogations as he trusted that House would never allow to be put again), that House had been frightened out of its usual course —seven boroughs had been trundled at once, most unceremoniously, into the little green bag of the hon. and learned Member for Bath, and indemnified culprits were invited to come and begrime them with anything they pleased. He could not approve of such reckless and precipitate proceedings—much less could he approve when that House went further, and condemned by anticipation—suspended writs without a tittle of evidence, and where nothing but rumour had whispered reproach. If that House persisted in so indecent and unjust a course, it would do anything but raise itself in the opinion of the community at large. Agreeing, therefore, in the sentiments of the petitioners that the withholding of the writ was unconstitutional, unprecedented, and that it tended to destroy all electoral rights, he most cordially seconded the motion of his hon. Friend.

Mr. *Roebuck* said, if upon the statement which I made to this House I had asked the House to suspend the writ for Nottingham, then the appeal of hon. Members to me would have been pertinent; but, under the present circumstances, that appeal might be described by a much more applicable phrase. What was done was done by this House, and with the approbation of the right hon. Baronet at the head of the Government. I never spoke upon the motion. I never expressed an opinion upon it. Why, therefore, am I to be assailed by the virtue of the hon. Baronet, the Member for the University of Oxford, and the supereminent and sublime virtue of the hon. Member for Nottinghamshire? He says I am the Simon Pure of the House, that I am invariably telling the House that I am the only honest man in it. I ask, is that a true statement? I ask him to say, to the best of his knowledge, have I ever told the House that I am the only honest man in it? If I have not, what is the value of the hon. Member's statement? But have I ever said so? [Mr. *G. Knight:* Over and over again.] I suppose it was the same sort of virtue which induced the hon. Member to make that assertion that compelled him to cry out against the Whig Ministry before they had quitted office, and then ingenuously to confess that he intended another thing. That was to say, when he cried out against their liberality he only meant their persons; it was not the thing, but the persons he disliked. The hon. Member knew very well the meaning of what he said, although what he said in June he denies in January; what he means in January is very different from what he said in June. The hon. Member said, and I put it to all the hon. Members sitting on the same Bench with him, whether it be a fair statement, that when I brought forward this measure I grounded it on my own individual honesty? I said nothing of myself. What, then, is the worth of the hon. Gentleman's statement? I have charged certain Members in this House with a particular proceeding, which they have not had the courage to deny. Some acknowledged it, while others refused an answer; but in the case of Nottingham, I said, that a compromise had been entered into. I said, that bribery had been charged against the sitting Members, and that for the purpose of avoiding the investigation into that bribery it was agreed, that one of those Members should retire; and accordingly one of them, on the very night of the arrangement, did accept the Chiltern Hundreds. What said the right hon. Baronet, the Member for Tamworth? Why, that this was a circumstance pregnant with suspicion. I appeal, therefore, not to that sort of technical knowledge so much resorted to by the hon. Member for Oxford, but to the common sense of the House, in justification of the course I have pursued. I am not a casuist. I am a lawyer, it is true, but not in this House. In this House I am a legislator, acting upon that sort of knowledge which is of service to the country. What did the right hon. Baronet say? He said, that this was a case pregnant with suspicion. Now, the hon. Member for Oxford University, tells us that Sir Somebody Something Larpent has retired on account of ill-health. That was the hon. Mover's account. That was what he said. Will he repeat it—will he say it again? I say he retired because he wished to avoid, not my question, that was not it—but an investigation into a charge of bribery. Now, is that denied? What said the right hon. Baronet upon the point? Why, he told us, that the case was so pregnant with suspicion, that he thought the writ ought to be suspended. But what have I to do with that? Did I speak upon the question? Did I vote upon the question? When I heard of the circumstances I told you the case was a case of suspicion, and you said wisely, "We will inquire into it." But I see what your tactics are now. I see perfectly well what you are about. It is to make an onslaught on me, that you came down to this House. Perhaps before I have done, you will see what is the real value of your onslaught? Tell me fairly—what was the hon. Member's statement? Was it not that I was the Simon Pure of this House, that I grounded my motion not upon public principle, but on a statement that I was the only honest man within these walls? Now, I tell the hon. Member I never said that. I never spoke such words. Then how am I mixed up with this matter? Why am I, and I only, to be assailed? I had nothing to do with it—Oh, I see the hon. Member for Oxford shake his head!—but I tell him I had nothing to do with it, and so much is this the fact, that knowing the motion was to come on, I discussed with myself yesterday what course I should take, whether I should vote or not, whether I should speak or not, whether I should be present or not, and the consequence was, that I deliberately stayed away. Then why am I assailed? why am I to be selected for special attack? I repeat, I never said a word about Nottingham. I never uttered a sentence against issuing a writ for Nottingham. I contented myself with the conviction, that the judgment of this House was sanctioned by the right hon. Baronet, and I purposely avoided interfering. I said I would have nothing to do with it, and I kept my word. Can any one say I have interfered? No. Is there a record in this House of my interference? No. Is there a report of a single speech I have made on the subject? No. Then I put it to the hon. Member—I put it to him as an honest man, can he say that I had anything to do with it? But let us come to facts. Whilst one party says there is no proof of bribery or corrupt compromise, another party allege that in Nottingham a foul conspiracy exists to cheat the people of England, to cheat the independent electors of England, to cheat them by buying with gold the voices of the people of that borough. ["Hear."] Ay, hear, hear, hear. We know what that cry implies. We know that there are some who think it but a very venial offence. I am well aware that many of you think it no crime so to impose yourselves upon the people. Wealth, in your estimation, covers a multitude of sins; but in my opinion the wealthy briber, whose sins seem covered by his gold, is much more guilty than the needy bribed, whose sin is created by the influence of the tempting gain. But do you defend bribery—do you shield the real guilt? And then I want to know, where is your tenderness of conscience? Is it the rich candidate you care for, or the poor elector? For whom have you such soft and tender sympathies? I know you tell us you are only seeking to uphold the privileges of the people. You say you have great regard for the people and their privileges; so have I. And my way to uphold them is, to prevent their being bought and sold like the sheep you bring to the shambles. I have a great regard for those privileges, and that is why I brought this matter under the notice of the House. It was no desire to sanctify immorality; it was no desire to exculpate vice that influenced my conduct; but standing up in my place, I thought, and still think, that I was best doing my duty when I said, "You and your rights shall not be bought and sold for gold, and he who attempts to perpetrate such an iniquity shall be fixed and crucified before the people." That was my design before, that is my desire now; and yet between me and my just object comes the hon. Baronet, the Member for Oxford University—he comes and spreads the influence of his name over the cause—he comes with his friend beside him and attacks me—I, who never asked for the suspension of the writ—I, who up to this time never said one word upon the subject, and who would not have spoken a single syllable now, if I had not been so pointedly alluded to. And the personal reference of one of those speakers I must say I consider to have been couched in anything but language consonant with the rules of this House. He is a Member whom I never imitated here. I may safely say, that up to-night I have never cared to refer to him, much less have I ever condescended to nickname him. I ask him, then, how he reconciles it to his conscience to nickname me, to designate me by the undeserved appellation of Simon Pure? [*Laughter*] Aye, the hon. Member may laugh. If I chose, however, to exercise that sort of power towards him, perhaps I should make him feel very uncomfortable. But what I say is, that I have done nothing, that I have said nothing, upon the subject of the suspension of this writ. I appeal to the right hon. Baronet at the head of the Government. I appeal to him if I have said one word or done one act to influence his opinion, and I ask if his opinion does not influence, and deservedly influence this House? The right hon. Baronet took a particular course upon this subject. My course has been consistent throughout. I voted against issuing the Ipswich writ, and I shall now vote against issuing the Nottingham writ. The right hon. Baronet saw or fancied a difference between the cases —he voted for issuing the writ in the one case and suspending it in the other. He sees a difference—I do not. The distinction he fancies has no influence on my mind;—it had an influence on his mind, and I have no right to presume otherwise than that he acted in accordance with that influence. But, whether inconsistent or not, I see, in all his proceedings, a great regard and care for the purity and the privileges of this House; and it is not for me in any way to question the motives of his conduct. That conduct is his own—he it is who has guided this House, and the responsibility, such as it is, must rest on his own head. If, therefore, the hon. Member for the University and his Friend and co-operator in this matter had fairly considered the state of parties—if they had only reflected who guided this House —if they had been disposed to act fairly and candidly upon such reflection—why, then, the two hon. Gentlemen might have pointed the finger of reproach at the leader of their own party, and not have troubled themselves to cross the House for the purpose of attacking me: the responsibility, I say, rests with him—you have acted on the judgment of the right hon. Baronet, and you are now, it seems, very much ashamed of what you you have done.

Mr. *G. Knight* had not intended to convey anything personally offensive, by styling the hon. Member for Bath a Simon Pure.

Sir *R. Peel* said, that he could assure the hon. Member for Bath, that he was never inclined to shrink from any responsibility that properly belonged to him. If he had used any influence on the matter now before the House, he must, at the same time, state, that it was the influence which reason—and reason alone—gave him; for, as he had before said, on more than one occasion, he looked on questions of this sort as questions solely of a judicial nature, and he never intended to act with regard to them, under any other influence than that which his own reason supplied with reference to the judicial merits of each particular case. At the same time, he must also state that he felt perfectly satisfied with the vote he had given on this subject when it was previously discussed, and that he intended to give a vote to the same effect upon the present occasion. He could not say, that he thought it would be at all satisfactory to the country, that they should lay it down that the result of an investigation by an election committee, should, in all cases be perfectly and entirely conclusive. When the House appointed a committee to inquire into or decide upon a question appertaining to their rights, it did not follow, that they also parted with the general right of subsequent inquiry; and, supposing they passed a measure last Session, for the more effectual checking of bribery, and the result was, that inquiry was evaded, and that corrupt compromises were entered into, it surely could not be satisfactory to the nation, that the measures intended to be remedial, should be defeated by the stoppage of inquiry at the point where the compromise commenced. It was impossible to suppose that any measure of such a description was intended to close the House against the more general investigation. He had said before, that he thought each of those cases, they being all of a judicial nature, ought to be treated on their peculiar merits. He knew the imputations to which the expression of this opinion would subject him from the hon. and learned Member opposite (Mr. Roebuck), as well as from others, but, at the same time, he did not see how they could otherwise arrive at satisfactory conclusions; indeed, he did not hesitate to say, that he thought it quite impossible to apply one universal rule to these cases without reference to the evidence in each. He now came to speak of the case of Nottingham. What was the course of proceeding on the motion for the issuing of the new writ being previously submitted? The House had determined to appoint a committee of inquiry into certain alleged corrupt compromises of election petitions, and under these circumstances, it was stated to the House, that the proceedings before the Nottingham committee had concluded, and that they had been brought to a close in consequence of a compromise of the nature described. It was also alleged, that there had been extensive bribery at Nottingham, and that, in consequence, further inquiry should be made. The Nottingham Election Committee, almost at the same time, reported to the House, that the two sitting Members had been rightly returned as representatives in Parliament for the borough; but it was found the very next day, that one of those hon. Members had vacated his seat. It was possible, that that circumstance might be accounted for. It might be said, as had been hinted to-night, that that hon. Member retired in consequence of ill-health. ["No, no!"] If that were not meant to be implied, he did not quite understand why any reference to ill health should have been made at all. If it had been meant, that ill health prevented the hon. Member from attending the House, then he could have understood his hon. Friend when he referred to it, but as the question stood, he must set aside that consideration. Well, then, he understood the hon. Member for Bath to say this was not only a vacant seat, of which, indeed, they had conclusive proof, but a bond had been given, or else a sum of money had passed, for the purpose of insuring the return of another Member for Nottingham, of opposite politics to the hon. Member who retired. Then the question arose of issuing the writ. Why, he must say, that under these circumstances, when they heard of 4,000*l.* or 5,000*l.* being paid or received, the meaning of which was to obtain and insure the return of a Member of opposite political principles to the Member retiring —when, he said, he heard of such statements, he must say he thought they ought not to issue the writ; and further, that there was a fair cause for inquiry by the House; the more especially, too, as the rights of the electors would not be prejudiced. He must say this, that to find a Member seated by the return of the committee, then to find, that there was a retirement immediately subsequent, together with an allegation that a sum of money had been paid—finding all this, he must say, that he retained his opinion, that it would not be for the credit of the House of Commons that such statements should be made and that no inquiry should be instituted. On that principle he should give his vote against the motion.

Mr. *S. Crawford* said, that he considered the House was not possessed of fair and just grounds for deciding in favour of the further suspension of this writ. An inquiry into the circumstances of the alleged compromise was necessary, but the House had clearly no right to prevent the return of a representative for the borough, and least of all ought they to attempt to do so, when such important questions were under discussion, as those now before that House. If he thought for one moment, that the issuing of the writ would prevent or throw any impediments in the way of the inquiry, he should be the last man in that House to support the motion for issuing it, but as he did not think, that the doing this act of justice to the electors would be attended with any such effect, he should give his vote in favour of the motion.

Mr. *Williams Wynn* said, that with reference to what had fallen from the hon. Member for Oxford University in the earlier portion of his speech that evening, taking the strict right of the law, a Member had certainly the power to make any motion he pleased; and even if the repeal of the union were pressed upon them for discussion, there would be nothing irregular in the proceeding, though it was very doubtful how far the House would agree to it. At the same time, however, when the House had once shewn its disapprobation of a proposition like the present, it was more convenient, more in accordance with the rule of the House, if the ordinary notice were given of the intention to bring the subject under discussion. With respect to this motion, he must own, that it seemed to him to rest on exactly the same ground as when it was previously debated. It then appeared to be the general sense of the House, that having appointed a committee to inquire into certain allegations of bribery and corrupt compromises, it would be inconsistent with the appointment of that committee, that the writ should be issued. What, then, had happened since that discussion? Had there been any delay? Unquestionably, there had been delay, but that delay was caused solely by the pressure of other business, which the House thought of more urgent importance. Certainly, the hon. Member for Bath was not responsible for the delay, for he had not been at all wanting in his endeavours to press the bill, which he thought essential to the business of his committee, whenever an opportunity of so pressing it had presented itself. It seemed to him, therefore, that the question resting on precisely the same ground as before, very little argument was required to induce the House not to alter the decision they had previously arrived at. He had heard it objected in some quarter, that the allegations of corrupt compromise were not of themselves a sufficient ground for inquiry. There was a case, however, which occurred in 1725, in which a compromise of this nature was alleged, and after an examination by a select committee of election, the sitting Member was expelled. On that occasion, too, the House only by a very small majority rejected a resolution which was moved having special reference to the case. He mentioned this circumstance, as he understood it had been said by some parties, that this was not a case requiring such a proceeding.

Colonel *Rolleston* begged leave, as one of the electors of the borough of Nottingham, to request, both in his own name, and in the name of the greater portion of his brother electors, that the hon. Member for Bath would prosecute this inquiry with the utmost assiduity and perseverance. Heavy charges had been made against the town—charges which had caused the name of Nottingham to become a by-word. It was due to the electors, and he demanded in their name, that those charges should be sifted.

Sir *R. H. Inglis* would not have presented himself to the House, had it not been, that he had been misapprehended by the right hon. Baronet, the First Lord of the Treasury. He had not referred to the letter of Sir G. Larpent to make it appear, that illness was the cause of that gentleman's resignation; on the contrary, he had, as he almost feared, with tautology, endeavoured to impress it upon those who heard him, that he did not attribute the course which Sir G. Larpent thought proper to adopt to ill-health; but he had said, that owing to the state of Sir George's health for five weeks before and five weeks after the period alluded to, Sir George had not been able to attend and answer the allegations which had been made. He hoped his right hon. Friend at the head of the Government, would excuse him for thinking, that the arguments used by him referred more to the case of the candidate than the petitioners, and the inquiry could be as well proceeded with if the writ were issued, as it would if it were withheld. The hon. Member for Bath said, he was no party to the case, and wondered, that he did not address the right hon. Baronet rather than address the hon. and learned Member on the subject. Now, the hon. and learned Member for Bath had been the first to cry out "Mad dog." The hon. and learned Gentleman had permitted himself to address language to the whole of those on his side of the House, and to attribute motives to them to the imputation of which some of them were not liable. The right hon. Baronet at the head of the Government would be the first to disown the power which the hon. and learned Member for Bath attributed to him, and but that he did not think the matter sufficiently serious he would have called the hon. and learned Gentleman to order when he stated that his right hon. Friend could command him, and those on that (the Ministerial) side of the House. They were as little willing to call his right hon. Friend master as was the hon. Member for Bath himself, or any other hon. Gentleman opposite. Though no person could be more sensible than he of the merits of his right hon. Friend, who had so frequently obtained the praise of the hon. and learned Member for Bath, he would never consent to call his right hon. Friend master.

Sir *R. Peel* wished to say a few words in explanation. The argument which he used was, that he thought the present case was a peculiar one, from the fact of its being alleged that a gentleman who agreed in opinion with the majority of the constituency of Nottingham had lodged a sum of money with a view to aid the return to Parliament of a person opposed to him and his constituents in opinion. Such an allegation was so important that it would be highly desirable to have its truth sifted, and he considered that it was for the interest of the constituency themselves thoroughly to understand the nature of the transaction.

The House divided:—Ayes, 41; Noes, 136; Majority, 95.

List of the AYES.

Antrobus, E.
Arbuthnott, hon. H.
Arkwright, G.
Attwood, M.
Bagge, W.
Bateson, R.
Broadwood, H.
Browne, hon. W.
Buckley, E.
Collett, W. R.
Crawford, W. S.
Darby, G.
Duncombe, T.
Escott, B.
Forbes, W.
Glynne, Sir S. R.
Godson, R.
Grimsditch, T.
Grogan, E.
Hamilton, W. J.
Hampden, R.
Henley, J. W.
Hinde, J. H.
Howard, P. H.
Hughes, W. B.
Kemble, H.
Law, hon. C. E.
Lockhart, W.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, T.
Milnes, R. M.
Newry, Visct.
O'Brien, A. S.
Paget, Col.
Palmer, G.
Polhill, F.
Pollington, Visct.
Ponsonby, hn.C. F.C.
Repton, G. W. J.
Round, C. G.

TELLERS.

Inglis, Sir R. H.
Knight, G.

List of the NOES.

Acland, Sir T. D.
Acton, Col.
Aldam, W.
Armstrong, Sir A.
Bankes, G.
Bannerman, A.
Baring, rt. hon. F. T.
Barnard, E. G.
Barneby, J.
Bellew, R. M.
Berkeley, hon. C.
Berkeley, hon. Capt.
Bernal, R.
Blake, M.
Bowring, Dr.
Brotherton, J.
Chapman, A.
Chapman, B.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christie, W. D.
Clive, E. B.
Cobden, R.
Cockburn, rt. hn. Sir G.
Connolly, Col.
Corry, rt. hon. H.
Cowper, hon. W. F.
Craig, W. G.
Denison, E. B.
Dennistoun, J.
Desart, Earl of
Dickinson, F. H.
Divett, E.
Douglas, Sir C. E.
Duncan, Visct.
Duncan, G.
Dundas, D.
Eaton, R. J.
Ebrington, Visct.
Ellice, E.
Evans, W.
Ferguson, Col.
Fuller, A. E.
Gladstone, rt. hn. W. E.
Gore, hon. R.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granger, T. C.
Greenall, P.
Halford, H.
Hamilton, J. H.
Hanmer, Sir J.
Hardy, J.
Hastie, A.
Hawes, B.
Hayes, Sir E.
Heathcoat, J.
Heathcote, G. J.
Hepburn, Sir T. B.
Hervey, Lord A.
Hodgson, R.
Hollond, R.
Hope, hon. C.
Horsman, E.
Hume, J.
Hutt, W.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, A.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Knatchbull, rt. hn. Sir E.
Lambton, H.
Lascelles, hon. W. S.
Lawson, A.
Layard, Capt.
Legh, G. C.
Lemon, Sir C.
Lincoln, Earl of
Lowther, J. H.
Mangles, R. D.
Marjoribanks, S.
Marsland, H.
Martin, J.
Masterman, J.
Maule, right hon. F.
Mitcalfe, H.
Morris, D.
Morison, Gen.
Murray, A.
Norreys, Sir D. J.
O'Brien, W. S.
O'Connell, M. J.
O'Conor, Don
Ogle, S. C. H.
Peel, rt. hon. Sir R.
Peel, J.
Pollock, Sir F.
Price, R.
Protheroe, E.
Rae, rt. hon. Sir W.
Ramsbottom, J.
Richards, R.
Roebuck, J. A.
Round, J.
Rundle, J.
Rushbrooke, Col.
Sandon, Visct.
Sheil, rt. hn. R. L.
Somers, J. P.
Somerset, Lord G.
Somerville, Sir W. M.
Stansfield, W. R. C.
Stanton, W. H.
Strickland, Sir G.
Strutt, E.
Sutton, hon. H. M.
Tancred, H. W.
Thornely, T.
Trench, Sir F. W.
Tuite, H. M.
Vane, Lord H.
Vernon, G. H.
Vivian, J. H.
Vivian, J. E.
Wallace, R.
Ward, H. G.
Watson, W. H.
Wemyss, Capt.
Williams, W.
Wood, B.
Worsley, Lord
Wyndham, Col. C.
Wynn, rt. hn. C. W. W.
Yorke, H. R.
Young, J.

TELLERS.
Fremantle, Sir T.
Tufnell, H.

WITNESSES INDEMNITY BILL.] Mr. *Roebuck* moved the third reading of the Witnesses' Indemnity Bill. The crime about which they were inquiring was one that could not be committed by a single person—there must be the briber as well as the bribed. The crime, unfortunately too, was one not branded by society, but rather looked upon with toleration. It would be frequently found that a party would be willing to make disclosures as to himself, but not as to others. Persons would object to involve their friends, and one of the objects of the bill was to remove that impediment from arriving at the truth. The inquiry was not one the object of which was vengeance nor punishment—it was for legislation. They wanted to know how these crimes were committed, in order that they might hereafter prevent an occurrence of them, through legislation. What he wanted was a thorough and searching inquiry. Two objections had been made to the present bill; one was its novelty, the other the mischief that it might do. The mere novelty was not so strong an objection that it should appear insuperable; and then as to the mischief, he certainly could see no danger in the House granting the powers that he sought for. He hoped they would be granted, in order that the committee might search to the bottom of these transactions. If they were not, the inquiry, he feared, would be truncated, and not give that satisfaction which it was otherwise calculated to produce.

The *Attorney-General* said, the present bill went far beyond all other precedents, and was fraught, if adopted, with considerable danger. The first clause gave a power to the chairman to give to the party under examination a certificate, stating that such person had made a faithful disclosure, and that certificate was to have the effect of a complete indemnity with respect to all things that either he or she had been examined before the committee, and not going beyond that. The second clause enacted as follows:—

"And be it enacted, that it shall be lawful for such committee, at its discretion, to make a report to the House of Parliament by which it shall have been appointed, certifying that any witness examined by or before it, or any person touching whom evidence shall have been given before it, shall be saved harmless from all proceedings, and such person so mentioned in such report shall be and is hereby freed, indemnified, and discharged of, from, and against all penal actions, forfeitures, punishments, disabilities, incapacities, and all criminal prosecutions which he or she may have been or may become liable or subject to, or which he or she may have incurred or may incur at the suit of her Majesty, her heirs or successors, or any other person or persons, for or by reason or means of or in relation to any act, matter, or thing done or committed by such person in respect of or connection with or compassing of the withdrawing or of having withdrawn, compromised, or abandoned any election petition or petitions relating to the boroughs or places before-mentioned, or in anywise relating thereto, or to any bribery, corruption, or intimidation, at any election or elections of Members to serve in Parliament, at any time whatsoever."

No act of indemnity before this had ever gone beyond the giving indemnity to the witness examined, and with regard to the matter upon which he had been examined. The present bill, however, proposed to give to the individual witness an indemnity on every matter of bribery on every other election whatever that he might choose to give evidence; but the bill also proposed to extend the indemnity to individuals who did not give evidence, but who might be named in the report. He opposed the bill in this part, because here it went beyond the established precedents. On the other parts of the bill he surrendered his own opinion, because of the established precedents. He meant to throw no other impediment in the way of the bill, if the second clause were removed. There had been very few bills of this description. The first was in 1805, upon the impeachment of Lord Melville. In 1819, there was the Barnstaple case, and then the Grampound case—and then followed Penrhyn, Retford, and Stafford, and then came this case. What the hon. and learned Gentleman was anxious for, was to give to each witness the motive to tell the truth. Let them, he said, do nothing to get rid of that protection which the law gave, that no man was bound to criminate himself. The law justified a man in protecting himself, but not in protecting another. If they gave that power, it would stamp the transaction with the character of bribery. To the second clause he had a very great objection, and after the bill had been read a third time he meant to propose that the clause he objected to should be struck out; and that being done, he wished his hon. and learned Friend the success that he hoped for, although he owned he was not very sanguine on the subject.

Sir *R. H. Inglis* said, the present instance showed that bills ought not to be allowed to be read a third time from any considerations of personal convenience. He thought the objections to the bill ought to have been taken at an earlier period. He objected to this bill because it proposed not only to indemnify witnesses but parties also. This bill would have the effect of promoting a betrayal of confidence between a principal and his agent. Would not the effect of the measure be, if it were effectual, to compel an hon. Member and his solicitor also to disclose matters, which, if they were before the Court of Queen's Bench, they could not be compelled to disclose? He asked this because he understood that the object of the hon. Member for Bath was inquiry, not punishment. He thought, that, however good the object, there were many good objects that could only be attained by means so bad as that their success would be very dearly purchased. He concurred in the observations of his hon. and learned Friend the Attorney-general, and he hoped that the hon. Member for Bath would intimate his intention to withdraw his clause.

Mr. *Hardy* could not give his consent to this clause of the bill. He thought it going too far to indemnify, not only witnesses, but also to identify parties respecting whom evidence had been given. There was another objection, and it was this. By what means would they compel the witnesses to give evidence? The indemnity which this bill proposed was when the committee reported that the witness had given true and faithful evidence. How would the witness be sure that the committee would so report, and when a witness went before the committee he would still have a right to object to answer, on the ground that his answer might criminate himself. In 1836 he, in conjunction with the late Mr. Ord, then a Member of the late Administration, brought in a bill which contained a clause for the purpose of discovering bribery. This clause met the unanimous concurrence of that House. But the bill did not afterwards pass the House of Lords, partly on account of the approaching termination of the Session. The effect of the clause was, that they should be able to compel every one who might be called on to give evidence in an inquiry respecting bribery. The clause provided, that after the passing of that act nobody should be entitled to object to be examined as a witness, or to answer any questions, either before that House or a committee of the House, on the ground that his doing so might criminate himself; and the clause further provided, that any answer so given could not afterwards be used against the witness, unless upon a prosecution for perjury. He thought that a provision of this kind would answer all the purposes of justice, and would be more effectual than the bill of the hon. and learned Member for Bath. The bill did not stop at giving indemnity to witnesses, but extended it to all whom their evidence might implicate, and this he thought a monstrous provision.

Mr. *O'Connell* could not go with the bill, as far as the second clause relieved persons from prosecution against whom witnesses might have given evidence as having been concerned in bribery, and he would recommend his hon. Friend to withdraw the clause. He would take this opportunity of protesting against that leaning of the legal mind which he had heard exhibited in favour of what was considered to be a sound legal maxim, which prevented people from answering questions which might tend to criminate themselves. It was a principle unknown in any system of jurisprudence except that of this country. He did not know one principle so well calculated to prevent the discovery of criminality. Lord Denman had laid it down, that any fact which might connect itself with anything which had a tendency to criminate the witness might be concealed. An instance occurred last year of the baneful effects to the ends of justice of the maxim in question on a trial in the House of Lords. An objection was made by counsel on that ground. What was the effect? Why, that that which all knew to be a fact, which occurred in the presence of twenty people, could not be proved by reason of this maxim. Could there be a more glaring instance of the manifest injustice of the operation of the principle. He was not in favour of any mode of compelling witnesses to make disclosures, he simply protested against the principle of their being allowed to evade justice on the ground that their testimony would criminate themselves.

Mr. *Williams Wynn* objected to the bill indemnifying any persons whose names might be introduced by witnesses, as having been connected with mal-practices. The indemnity should only extend to prevent any thing said by a witness from being made use of against himself. He objected to the second clause.

Mr. *Roebuck* would save the time of the House, by at once acceding to the proposition of the hon. and learned Gentleman, the Attorney-general, and withdrawing the second clause.

Mr. *Law* suggested that the revealing of confidential communications between a client and a professional man should not be allowed to be attended with prejudicial consequences to the latter.

Mr. *C. Buller* regretted that his hon. Friend had consented to withdraw the clause. It was for the dignity of the House to accompany the severe proceedings which it was about to institute by a general indemnity clause. It would become the House to say, that as they were about to create unusual powers, those powers should not be used for the hurt of any persons; and while they would expose the proceedings of late elections, they would throw around those concerned in them the mantle of general indemnity. He thought, that parties would have a right to complain, if, after having gone through the ordinary legal proceedings, they should be subjected to a fresh inquiry, of which the consequences might be penal proceedings, to which in the ordinary course of law they would not have been subjected. The object of the bill was to prevent any such proceedings; and when they made these inquiries for objects of public utility, they should put their intentions above the imputation of malignity or extraordinary severity.

Mr. *Darby* thought that the effect of the bill would be to make people join to impede the law, and that it would have the effect of injuring the good which would be otherwise done by the Bribery Bill before the House. It was quite a new principle to introduce an indemnity bill for the purpose of legislation without affecting any individual. Thinking that the bill would not elicit truth, but that it would have the effect of creating evidence against parties who must necessarily be absent when that evidence was given—under all these circumstances, believing that the bill was an anomaly, that it would be of little or no use, he would oppose the third reading.

Mr. *Watson* said, that if the investigation of the hon. Member for Bath was to be carried on, they must examine witnesses connected with bribery, and it would be impossible to carry on that investigation unless they provided indemnity against the evidence which witnesses were to bear before the committee. But there was one observation which seemed to be lost sight of on the other side of the House. Witnesses were not to be indemnified in giving evidence, but it was to be in the discretion of the committee to grant to the witness a certificate, which would have the effect of screening him from prosecution, and therefore it would be only cases in which the witness had given fair and true evidence, that the indemnity would be granted. As regarded the second clause, he did not deem it very highly important, whether or not it should pass, but there were reasons why it should. With respect to the suggestion which had been thrown out with reference to evidence given by attorneys, it should be recollected that such evidence was often given by consent of their clients, and he thought that persons giving such consent, should, in such cases, be indemnified.

Bill read a third time.

Amendments made—Bill passed.

CUSTOMS' ACTS. THE TARIFF.] On the question that the Speaker do leave the Chair, to go into a committee on the Customs' Acts,

Mr. *Hume* rose to call the attention of the right hon. Baronet, the First Lord of the Treasury, to a vote which the House had come to in his absence, opposing a reduction of duty upon cotton, and to another and a similar vote, opposing a reduction of duty on wool—two articles of raw material. The decision of the House on these points he considered to be contrary to the principles laid down by the right hon. Baronet, when he stated his anxiety generally to relieve from duty as much as possible articles of raw material, and he would submit that, whatever amount of money might be raised as duty on these substances, that it was a question for consideration, whether Government would not lose more by a diminution in the Excise and Customs revenues paid on the articles consumed by the labouring classes. Many branches of trade were altogether lost by being under-sold to the amount of only 4 or 5 per cent.; and, he trusted, that the right hon. Baronet would take the cases to which he had alluded under his consideration.

Sir *R. Peel* said, he had proposed an Income-tax for the purpose of procuring a surplus revenue, and he could not look at the subject alluded to by the hon. Member exclusively with reference to those considerations upon which the hon. Member had touched. He could not consent to sacrifice the revenue,—nearly 800,000*l.* derived from the duties on raw cotton and wool.

House in committee.

Schedule 13 agreed to.

The proposed rates of duty on the two first articles in schedule 14, relating to silk, namely, " knubs or husks of silk," and " raw silk," were also agreed to.

On the question that the duty on raw silk not dyed, singles be 1*d.* the lb. Thrown silk, not dyed, viz., singles, tram, organzine, or crape silk; dyed, viz., singles, or tram, organzine, or crape silk.

Mr. *Grimsditch* objected to the reduction of duty, that it might produce great inconvenience in this branch of the British manufactures. He should move to leave the duties as they stood at present, which did not amount to a protection exceeding more than 5 per cent. As he considered his proposition was founded in a just regard for the large amount of capital embarked in throwing mills, he should take the sense of the House on it. He therefore moved that the blank be filled up with 1*s.* 6*d.*

Mr. *Brocklehurst* seconded the motion, and said, it was a bad thing to recognize the principles of free-trade with respect to the manufacture of silk alone before they were generally introduced. The adoption of Mr. Huskisson's plan, as applied to that manufacture, had had a most injurious effect on the wages of the work people which had been reduced one-half. He believed if that plan were followed out as now proposed, it would finally cause the total ruin of the silk manufacture in this country. Free-trade might under certain circumstances be beneficial, but the silk trade in this country had always been a protected trade, and the diminution of the protection which had already been made, had almost ruined one large branch of it, that depending chiefly on manual labour. The hand-loom weavers in the silk trade were in a state of great destitution. On these accounts he should cordially support the motion of his hon. Colleague.

Mr. *M. Attwood* thought this particular reduction on thrown silk did not carry out the principles of the tariff, the present protection was a reasonable one. He would take upon himself to say, that since the adoption of free-trade principles with regard to the silk trade, no improvement in the machinery for silk manufacture had been made. The Jacquard loom was not introduced by Mr. Huskisson's measures; it had been in use long before. The quantity of silk worked up had undergone no increase, and since that trade had been subjected to the curse of free-trade theories, they had seen only one solitary silk mill erected through the length and the breadth of the land. Here, then, was a trade which had gone on flourishing for years under the benumbing influence, as it was termed, of a protective system; and which had been no sooner subjected to the experiments and theories of modern political philosophers, than its prosperity was arrested; no more foreign silk was introduced and worked up, and, with one solitary exception, no silk mill had been since then erected throughout the country. No doubt the late Secretary of the Board of Trade, and the clerks of the Customs, had stated before the Import Duties Committee that the silk trade had improved; but it would have been more discreet in them to have said, that they were not competent to answer those questions, and that the proper source of information was the silk manufacturers themselves. The most influential of them had been examined before the committee of 1832, and they had described the ruinous effect entailed upon the silk trade by Mr. Huskisson's measure of 1826. They were removing prohibitory duties at a time when foreign powers were adopting an entirely different policy. What was America doing? What was France doing? The conduct of the American Government, and the feelings of the American people, were exhibited in a speech of Mr. Clay, in which he said, that—

> "His experience had led him to defend a large protection to native industry—that free-trade was a splendid vision of philosophers, but a vision practically repudiated by all the nations of the world, and that the advance which America had made in free-trade principles, had been the cause of her commercial failure."

He did not understand the ground upon which this reduction of the duty upon silk was proposed, and he should certainly vote against it.

Mr. *Gladstone* would not follow the hon. Gentleman through all the remarks which he had made, but would simply refer to the effect which the present proposal would be likely to have upon the silk trade. The hon. Gentleman had strongly condemned the policy which Mr. Huskisson had pursued; and, in support of his argument, had compared the prices of two years under the prohibitory and under a more free system. But the hon. Gentleman had taken the years 1825 and 1826, which were known to have been years of extraordinary speculation. Upon the figures which the hon. Gentleman had himself quoted, he had made out no case against the present motion. With regard to it, it would be admitted that a sufficient protection was now given to the throwsters of England, in comparison with the quantity of raw silk imported, as was proved by the fact that the quantity of thrown silk imported had been gradually diminishing from 345,000lbs. to 252,000lbs. The throwsters themselves had come forward, and supported a reduction of the duty on thrown silk, provided the system of debentures was done away with. In fact, under the proposed change, the uniform duty of 1*s.*, without the system of debentures, would be a protection fully equal to the present duties, which varied from 1*s.* 6*d.* to 3*s.* 6*d.* per lb. with it. By imposing a moderate duty on thrown silk, they would place themselves in a more favourable position for entering into engagements with foreign countries as to the importation of raw silk. The present proposal was no diminution of duty, but it was a duty levied in an equally effective and far more convenient manner.

Mr. *Attwood* had picked out no particular years for his argument. He had taken the general state of the trade before and after Mr. Huskisson's proposal.

Mr. *Gladstone* thought, notwithstanding the remark of the hon. Member for Whitehaven, that he had not dealt fairly with the subject. The hon. Member had rested his arguments on the years of such extraordinary speculation, that one manufacturer then put an advertisement in the public papers offering employment to 1000 additional hands.

Mr. *Brocklehurst*: 5,000 additional hands.

Mr. *Gladstone:* I am obliged to the hon. Gentleman for confirming and extending my statement.

Mr. *Brocklehurst:* Though there was an advertisement for 5,000, it was not *bonâ fide*—it was put forth for effect, and in consequence of some differences which that manufacturer had had with his men. Mr. Huskisson knew the facts to be so, although he gave them to the House in the manner just stated by the right hon. Vice-President of the Board of Trade. I informed Mr. Huskisson of the real circumstances of that case, yet he came down to the House and made a statement wholly contrary to the information which he had received. I never before had an opportunity of mentioning this in public, and I gladly avail myself of the present occasion.

Mr. *Gladstone* regretted, that the rules of order in that House did not prohibit those terms of censure regarding the dead which could not be used with reference to the living. It filled him with surprise to learn that any hon. Member in that House should consider the proposed duty an insufficient protection. He certainly should resist the present motion, or any other which went to increase protection.

Mr. *Strutt* protested against the doctrines both of the hon. Member for Macclesfield and of the hon. Member for Whitehaven. They recommended the repeal of Mr. Huskisson's measures, and a recurrence to the old protective system. To such a change the constituency which he had the honour to represent would look with dismay. The manufacturers with whom he was best acquainted desired no such protections as those now proposed; all that they wanted was, that the Legislature should do them justice in other respects. There had been considerable improvements in machinery for throwing silk; and as an illustration of that fact he might mention one curious circumstance. A very large silk mill was first erected in Derby by Sir Thomas Lombe, who received a patent on condition that he should lodge a model of his mill in the Tower of London, where it had remained to the present day. The mechanism of that mill was of the most barbarous description, and in the course of years it became a mere curiosity—a memento, in fact, of the great inferiority of the machinery of bygone days. And what effect did the measure of Mr. Huskisson produce? The old and inferior machinery was gradually swept away, and a new and improved kind was brought into operation, by which a greater quantity of silk was thrown, and more profits realised. However it might suit some hon. Gentlemen to sneer at political economists, and those who were called "reformers of our commercial laws," he must say, that he knew of no higher and prouder character that a British statesman could enjoy than that of being a reformer of our commercial code. With respect to the duty on thrown silk, he must confess, that although he was frequently in correspondence with his constituents, not one of them had yet expressed the slightest objection or disapprobation of this proposition of the Government. But while they did not object to the principles of free-trade being applied to their own case, they certainly felt themselves treated hardly, and with crying injustice, because the same principles which were applied to their trade were not at the same time applied to those commodities which they consumed and upon which they subsisted. They asked only a fair field and no favour; they were ready to compete with foreigners upon equal terms, but they said "Do not permit the gross injustice of acting upon perfectly different principles when you are dealing with those articles of consumption without which we cannot live."

The committee divided on the question that the blank be filled with 1*s.*:—Ayes 240; —Noes 22:—Majority 218.

List of the Ayes.

A'Court, Capt.
Acton, Col.
Adderley, C. B.
Aldam, W.
Allix, J. P.
Antrobus, E.
Armstrong, Sir A.
Ashley, Lord
Bailey, J.,
Bailey, J. jun.
Baillie, H. J.
Bannerman, A.
Barclay, D.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Barrington, Visct.
Bateson, R.
Bentinck, Lord G.
Blake, M. J.
Boldero, H. G.
Botfield, B.
Bowring, Dr.
Broadley, H.
Brooke, Sir A. B.
Brotherton, J.
Browne, R. D.
Browne, hon. W.
Buller, C.
Buller, Sir J. Y.
Burrell, Sir C. M.
Cardwell, E.
Carew, hon. R. S.
Chapman, A.
Chapman, B.
Charteris, hon. F.
Chelsea, Visct.
Chetwode, Sir J.
Childers, J. W.
Christie, W. D.
Clayton, R. R.
Clerk, Sir G.
Clive, E. B.
Cochrane, A.
Cockburn, rt. hn. Sir G.
Colebrooke, Sir T. E.
Coote, Sir C. H.
Corry, rt. hn. H.
Courtenay, Lord
Crawford, W. S.
Denison, E. B.

Dickinson, F. H.
D'Israeli, B.
Dodd, G.
Douglas, Sir H.
Duncan, G.
Duncombe, T.
East, J. B.
Eaton, R. J.
Eliot, Lord
Escott, B.
Esmonde, Sir T.
Estcourt, T. G. B.
Evans, W.
Fellowes, E.
Ferguson, Col.
Filmer, Sir E.
Fitzroy, Capt.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Forster, M.
Fuller, A. E.
Gaskell, J. Milnes
Gill, T.
Gladstone, rt.hn.W.E.
Gladstone, T.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gordon, Lord F.
Gore, M.
Gore, W. O.
Gore, W. R. O.
Goulburn, rt. hn. H.
Graham, rt. hn. Sir J.
Granger, T. C.
Grant, Sir A. C.
Greenall, P.
Grogan, E.
Guest, Sir J.
Hall, Sir B.
Hamilton, W. J.
Hampden, R.
Hanmer, Sir J.
Hardinge, rt. hn.SirH.
Hardy, J.
Hastie, A.
Hawes, B.
Hayes, Sir E.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hill, Lord M.
Hindley, C.
Hodgson, F.
Hodgson, R.
Hollond, R.
Holmes, hn. W. A'Ct.
Hope, hon. C.
Howard, Lord
Howard, P. H.
Howick, Visct.
Hughes, W. B.
Hume, J.
Hussey, T.
Hutt, W.
Irton, S.
Jermyn, Earl
Johnston, A.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kelburne, Visct.
Knatchbull,rt.hn.SirE.
Labouchere, rt. hn. H.
Lambton, H.
Layard, Capt.
Leicester, Earl of
Lennox, Lord A.
Lincoln, Earl of
Listowel, Earl of
Litton, E.
Lockhart, W.
Lyall, G.
Mackenzie, T.
Mackenzie, W. F.
M'Geachy, F. A.
Mahon, Visct.
Mainwaring, T.
Mangles, R. D.
Manners, Lord J.
Marsham, Visct.
Marsland, H.
Martin, J.
Martin, C. W.
Masterman, J.
Maule, rt. hon. F.
Mitcalfe, H.
Mitchell, T. A.
Morgan, O.
Morris, D.
Morison, Gen.
Morrison, J.
Murray, A.
Neville, R.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, C.
O'Brien, J.
O'Brien, W. S.
O'Ferrall, R. M.
Ogle, S. C. H.
Packe, C. W.
Paget, Col.
Paget, Lord W.
Pakington, J. S.
Parker, J.
Patten, J. W.
Pechell, Capt.
Peel, rt. hn. Sir R.
Peel, J.
Philips, G. R.
Plumridge, Capt.
Pollington, Visct.
Pollock, Sir F.
Protheroe, E.
Pryse, P.
Reid, Sir J. R.
Repton, G. W. J.
Rice, E. R.
Rolleston, Col.
Rose, right hon. Sir G.
Round, C. G.
Round, J.
Rumbold, C. E.
Rundle, J.
Rushbrooke, Col.
Russell, Lord J.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Scott, hon. F.
Seymour, Lord
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Smith, J. A.
Smith, rt. hon. R. V.
Somerset, Lord G.
Somerville, Sir W. M
Stanley, Lord
Stansfield, W. R. C.
Stanton, W. H.
Stuart, Lord J.
Strutt, E.
Sturt, H. C.
Sutton, hon. H. M.
Talbot, C. R. M.
Tancred, H. W.
Taylor, T. E.
Thompson, Ald.
Thornely, T.
Thornhill, G.
Trench, Sir F. W.
Tufnell, H.
Tuite, H. M.
Turner, E.
Tyrell, Sir J. T.
Vane, Lord H.
Vesey, hon. T.
Vivian, J. H.
Waddington, H. S.
Wallace, R.
Ward, H. G.
Wawn, J. T.
Wemyss, Capt.
Wilshere, W.
Winnington, Sir T. E.
Wood, B.
Wood, C.
Wood, Col. T.
Wood, G. W.
Worsley, Lord
Wyndham, Col. C.
Yorke, hon. E. T.
Yorke, H. R.
Young, J.

TELLERS.

Fremantle, Sir T.
Pringle, A.

List of the NOES.

Ainsworth, P.
Attwood, M.
Buckley, E.
Copeland, Ald.
Darby, G.
Egerton, W. T.
Egerton, Sir P.
Fielden, J.
Grimston, Visct.
Halford, H.
Heathcoat, J.
Henley, J. W.
Hinde, J. H.
Kemble, H.
Legh, G. C.
Palmer, G.
Sandon, Visct.
Sibthorp, Col.
Trollope, Sir J.
Wilbraham, hn. R. B.
Williams, W.
Wodehouse, E.

TELLERS.

Brocklehurst, J.
Grimsditch, T.

Blank filled with 1*s.*

On the question that plain silk or satin be admitted at a duty of 11*s.* per lb., or, at the option of the officer of customs, at 25 per cent. *ad valorem.*

Dr. *Bowring* objected to the proposed amount of duty, and said, that the right hon. Gentleman opposite had himself admitted that a duty of 20 per cent., would afford ample protection. This article was not dealt with on the same principle as other articles in the tariff, because, in point of fact, the old duty was to remain. He considered this impolitic on many grounds, and thought that it would have the effect of encouraging smuggling. During the last twelve years, silk manufactures from France of the value of

12,130,000*l.* had obtained admission into this country, while on 1,875,000*l.* worth of it only had the duty been paid. This proved the disadvantage of high duties, and he could only say, that in this respect, this country did not reciprocate as they ought with foreign countries. He moved, as an amendment, that foreign manufactured silk goods should only pay an *ad valorem* duty of 20 per cent.

Sir *R. Peel* could not deny that the proposed duty upon manufactured silk was high, and admitted that great advantages would result from a reciprocal commercial intercourse between this country and France. He trusted, however, that looking to the state of the negotiations pending between France and England, the House would not press the Government too hastily upon this point. England had made offers to France which he believed would not only be attended with great pecuniary and commercial advantages to both countries, but would also tend to allay those unfortunate differences which of late years had grown up between them. A proposition highly advantageous to both countries was made some time ago, but had not yet been acceded to by France; and he very much doubted whether, if the House now went too far upon a principle which abstractedly was very good in itself, and gave to French productions the advantage of a readier admission into this country, there would not be danger, looking to the present feeling of France, that the advantage of a reciprocal admission of English manufactures into that country would be postponed. The present Government had expressed its readiness to carry out the treaty proposed by its predecessors. France had not yet acceded to it. Under these circumstances, he trusted that the House would not press propositions of the character just submitted by the hon. and learned Member for Bolton. It would not be well to make concessions to France, until an equivalent could be obtained from her.

Mr. *Labouchere* thought, that in the present state of our commercial relations with France, the House would exercise a sound discretion in leaving this question in the hands of the Government. A treaty had not only been in negotiation between the two countries, but as far as the commercial part of it was concerned, had been actually agreed to. The terms of the treaty had been submitted to no less than three governments of France, that of Count Mole, M. Thiers, and M. Guizot, and up to a certain point had been agreed to by each, but unfortunately had ultimately been rejected by all, solely on account of the political differences which had arisen between the two countries. In truth, the difficulties interposed to the ratification of the treaty were purely political—there was no difficulty or obstacle upon the mere commercial part of it. He understood from the right hon. Baronet that he was prepared to adhere to the treaty as left by the late Government; but that the government of France had not yet acceded to it. In this state of things, it would be a pity that the House should interfere. Though he thought much advantage would result from a reduction of the duty on French manufactured silk, he should, upon the present occasion, unite with the right hon. Baronet in resisting the amendment of the hon. and learned Member for Bolton. He would take that opportunity of stating that although he thought the Government of England would be perfectly right in entering into a commercial treaty with France, stipulating for the reduction of the duty on certain articles of our manufactures in return for a similar reduction of duty on certain articles of French manufactures, he yet hoped that our Government would be cautious how they pushed the principle too far. He thought it would be most inexpedient for this country to tie itself up too much by engagements to other countries, in respect to the precise amount of customs duties to be levied upon particular articles. He was the more anxious to say this, in consequence of something which fell from the right hon. Gentleman, the other evening, in the debate on the sugar duties. He hoped that, in reference to such an article as sugar, upon which so great a portion of our revenue depended, the Government would be cautious how, in entering into any treaty with other countries, they bound themselves to levy any specific and positive amount of duty.

Mr. *Hume* agreed with his hon. and learned Friend, that it would be very desirable to reduce the duty on manufactured silk; but after the speech of the right hon. Baronet, he trusted that his hon. and learned Friend would not press his amendment.

Dr. *Bowring*, after the declaration made by the right hon. Baronet, would not press his amendment.

Viscount *Howick* thought that the hon. Member for Bolton acted judiciously in declining to press the House to a division. But at the same time, he could not refrain from expressing his doubts of the justice of the grounds on which the Government refused to reduce the duty on French silks. It was admitted by all that great benefits would result from an extended commercial intercourse between the two countries. Government had thought it expedient to postpone any reduction of duty, in the hope that they would obtain concessions from France, but he doubted whether they would arrive at the wished-for results by mutual concessions, instead of acting independently at once. The right hon. Baronet at the head of the Government said, on a former occasion, that it was the interest of this country to buy in the cheapest markets, whether other countries did so or not. When the right hon. Baronet had declared that he would not ultimately persevere in the present system of prohibition, he thought the wisest policy for this country to pursue would be at once to admit to our own market those articles which were required, and to regulate our commercial policy according to our own interests, and he was persuaded that no long time would elapse before other nations would follow the example. He did not think if they reduced the duty on French commodities, that France would increase the duty on linen yarn. If it did, the smuggler would at once redress the inequality, and the only result would be, that the revenue of France would suffer.

Amendment withdrawn.

Proposed duties on manufactures of foreign silk were agreed to.

On the proposal that for every 100*l.* value of manufactures of silk, or of silk mixed with any other material, the produce of, and imported from, British possessions, a duty of 5*l.* be levied.

Captain *Mangles* admitted that this was a great and important concession, but he wished to ask the right hon. Baronet whether he would not consent to put the same duty on the goods exported by India to this country, as was levied by India on the goods imported into India, being 3½ per cent.

Sir *R. Peel* hoped the House would bear in mind the extreme difficulty which Government experienced in defending every separate article in the tariff. The hon. Member admitted that they had made a great and important concession, in reducing the duty on the article in question, from 20 to 5 per cent., and what Government attempted to do was, to attempt to approximate, as nearly as possible, to justice, without giving a great shock to any interest. They may have fallen short in their attempts in some particular cases, but looking to the tariff, as a whole, he thought they had taken the wisest course. No one felt more strongly than he did the claims which India had on the consideration of this country, but he hoped the House would not forget that the reduction in the present case was from 20 to 5 per cent., and he, therefore, trusted the hon. Gentleman would not take the sense of the House on his proposal.

Motion agreed to.

The House resumed. Committee to sit again.

The House adjourned.

HOUSE OF LORDS,

Monday, June 13, 1842.

MINUTES.] BILLS. *Public.*—1ª· Witnesses Indemnity; Slave Trade Abolition (Argentine Confederation); Slave Trade Suppression (Hayti); Slave Trade Treaties.

2ª· Peerage Pedigree Evidence; Testimony Perpetuating.

Private.—1ª· Britwell Salome Inclosure; Kilmington Inclosure; Lord Southampton's Estate.

2ª· Burntisland and Granton Pier and Ferry.

Reported. — Brewood Free Grammar School; Lincoln Roads; St. Pancras Improvement; Ely Place Improvement; Camberwell and Peckham Lighting; Boston Harbour (No. 2).

3ª· and passed:—Great North of England Railway; Hawke's Divorce; Boston Harbour (No. 3); Brentford Gas.

PETITIONS PRESENTED. From Traders in the Strand and its neighbourhood, for the Redemption of the Tolls on Waterloo, and the other Metropolitan Bridges.—From the Stewartry of Kircudbright, against the Income-tax.——From Ballmaclash, and Rathdrum, for the adoption of a new plan of Education in Ireland.—By the Bishop of Bangor, from the Rural Deanery of Arllechwedd, for the Repeal of that part of the Act which provides for the Union of the Sees of Bangor and St. Asaph.—From the Lord Provost and Town-council of Edinburgh, against the Granton and Burntisland Pier and Ferry Bill.

THE GOLD COIN.] Lord *Beaumont* wished to ask the noble Lord the President of the Council, whether it were the intention of her Majesty's Government to take any steps to alleviate the inconvenience and alarm occasioned by the recent proclamation with regard to the gold coin of this country? This inconvenience was chiefly experienced by the holders of the gold coin of the reigns of George 3rd. and George

4th., but those were coins with which no tricks had been played, which had not been plugged nor sweated, but which by reason of long use and circulation had become light. The persons who chiefly suffered from the existing difficulties which were experienced in procuring the value of light coin were those who, by reason of their small means, were unable to collect a large amount of money, 50*l*. being the smallest sum which the Bank of England undertook to purchase, and they were compelled to resort to common tradesmen who charged a much larger per centage than was just.

Lord *Wharncliffe* was glad that his noble Friend had put this question to him, and had thus enabled him to make a communication to the House which he thought would relieve the public of a great deal of anxiety and apprehension upon this subject. He was aware that the charges made for exchanging the light sovereigns, many of which were in circulation, were in some instances monstrous, and he had been informed that in some instances as much as 1*s*. was charged upon each sovereign changed. He was happy to be able to inform the House, that it had been found on an average that the loss upon the gold coin sent into the Bank of England did not exceed 1½ or 2 per cent. He was glad to say, that the Government were taking measures, and were in communication with various public boards, in order to give greater facility for the exchanging of light coin, both in London and the country.

The Duke of *Cleveland* had heard of many cases of very serious inconvenience which had resulted from the system at present in force, and he believed that, unless some measures were taken to remedy the evil, inextricable confusion would result. The actual deficiency in the sovereign in many cases did not arise from any unfair practices having been resorted to, but from the weight of metal being lessened by use and wear and tear. It was extremely hard, therefore, that the public should, where such was the case, be subjected to such deductions.

INDEMNITY OF WITNESSES.] Lord *Brougham* said, that there was a bill brought up to their Lordship's House from the House of Commons to which he wished to call the attention of their Lordships. At present, however, he should do no more than say, that the bill was the same which had before been introduced into that House, but a part of which had been omitted, in his opinion very considerably to the detriment of the efficacy of the general measure. It was, nevertheless, highly desirable that their Lordships should on no account hesitate to pass the measure, and he should to-morrow move that the Standing Orders be suspended, in order that it might plainly appear that there was no impediment, no obstacle, presented by their Lordships, but every facility afforded by them, for the conduct of the inquiries necessary to be made into the late alleged acts of bribery.

Bill read a first time, and ordered to be printed.

ADMINISTRATION OF JUSTICE (SCOTLAND).] Lord *Campbell* rose, in pursuance of notice, to submit to the notice of the House the circumstances which took place on the trial of James Henry, at the late Spring Assizes for the county of Stirling, respecting the examination of William Simpson, as witness, as to his religious opinions. It was a subject of the greatest importance to the liberty of conscience, and the due administration of justice. If there had been no departure from the law of Scotland on the occasion to which he referred, it would be indispensably necessary for their Lordships, in their legislative capacity, to remedy the law. But on this subject their Lordships judicially had no jurisdiction. The determination of the courts of Scotland was final and conclusive. Not only the High Court of Justiciary, but if any of the circuit courts gave a decision, unless the point was specially reserved, that decision was final. He would first lay before their Lordship s the facts as they occurred on the trial, according to the most authentic information he had been able to obtain, and he believed that information might be entirely relied upon. A person of the name of Samuel Henry was indicted for an assault on a constable in the discharge of his duty. The constable's name was William Simpson. The man was likewise indicted for a common assault upon a person of the name of Smart, and the only witness who could prove the assault upon Simpson was Simpson himself. He was accordingly called as a witness on the part of the prosecution. An objection was made to Simpson being a witness, which, if duly established, was certainly a good objection. An oath was necessary before a witness could give his evidence, and an oath could be of no binding authority unless the party taking it believed in the existence of an overruling Providence. The evidence of Simpson was objected to on the ground that he was an Atheist, and if this objection had been properly established the witness must have been rejected. But what was the proper mode of taking that objection? How was the objection to be ascertained? By the examination of the witness himself upon his belief. Instead, however, of that course being pursued, Simpson was at once put on his trial for blasphemy. Without one question being put to him, four witnesses were successively examined to prove that he had made statements which, if true, were very much to be condemned, as to his not believing in a God—as to his not believing in the Christian Revelation—as to some doctrines of the Church of England and the church of Scotland, and also respecting his having in his possession some books of Volney and Voltaire. These four witnesses made statements of which he had had no notice, and which he could not be expected by the help of other testimony to rebut or contradict. The witness was himself afterwards examined. He then declared that he believed in the existence of a God, in a future state of rewards and punishments, in a God by whom he was created, and to whom he was accountable. The oath was then administered to him, and he ought to have been examined *in causâ*. Instead of that, however, he was again examined with the sanction of the judge, as to his religious opinions; and in answer to the questions put to him, he again stated that he believed in the existence of God, in a future state of rewards and punishments, and in Divine Revelation. He stated, in addition, that he went to church regularly, but that he did not partake of the holy communion because he was under scandal; that is to say, that he had committed some irregularity for which he had not made the necessary atonement. He stated, however, that if that scandal were removed, he should very gladly partake again of the rites of the church. He denied that he had in his possession the works of Volney or Voltaire. The examination was then undertaken by the judge himself. But that judge, instead of protecting the witness, though no doubt the judge believed he was acting according to the law of Scotland, and with the most conscientious feeling, asked him if he believed in the scheme of Christianity as disclosed in the Scriptures? He said he did. The judge was not satisfied, but asked him if he believed in the doctrine of the Atonement? The witness said that he did. He then said that he did not believe in the whole of the Scriptures. The judge having asked him in what part of the Scriptures he did not believe, he replied that there were parts of them which he could not comprehend. After that examination, the judge did not, as had been stated in the public journals, reject the evidence of the witness, but he did what was more fatal to his reputation—he intimated an opinion that, under the circumstances, the witness could not be believed, and he recommended the counsel for the prosecution not to proceed to examine him. The Advocate-Depute adopted the suggestion of the judge; that part of the prosecution which was to be supported by his testimony was withdrawn, and the prosecution was proceeded with only as regarded the assault upon Smart. Now he found fault with the proceedings thus taken, in three main particulars. He complained, first, that extraneous evidence was given respecting the religious belief of the witness; secondly, that the witness himself was not examined in the first instance; and, thirdly, that the judge, instead of rejecting or admitting the evidence, had taken upon himself to intimate that the witness could not be believed. He had taken considerable pains to ascertain what was the law of Scotland upon the subject of the reception of evidence, under such circumstances as he had detailed. So far as he could learn, the law of Scotland upon the subject coincided with the law of this country, and ought to be the law of every civilized country. He believed that according to the law of Scotland, as well as according to the law of this country, the evidence as to the belief of a witness ought to be confined to the examination of the party himself. The question to be determined was, not what the witness believed in past times, but what he believed at the time of his examination. If he had entertained the most heterodox and sceptical opinions at any past time, this would not have disqualified him if he had come at last to a right understanding. Then who could tell what his belief was at this time, except himself? If any evidence was to be received upon that point, all must be taken, and a malicious party, against whom a respectable and unexceptionable witness might be called, might produce evidence of what the witness had said forty or fifty years before, which might be true or might be false, and which, if true, the opinion had been long since changed, and which, if false, he would have no power of disproving. For these reasons he believed the law of Scotland, and certainly the law of England, had made it the invariable practice, with regard to questions of religious belief, to confine the examination to the party who was to be a witness. He was now speaking in the presence of judges of great learning and experience, and he appealed to them whether they knew of any instance in their practice, either in Westminster Hall, or on circuit, where witnesses were called to prove the religious belief of the party about to give evidence. It was laid down in a book of great authority, *Phillips on Evidence*, that

> "The only means of ascertaining the competency of a witness, with reference to his religious principles, was by examining the party himself."

During all his time, and under every chief justice from Lord Kenyon down to his noble Friend who now presided with such advantage to the country over the Court of Queen's Bench, any attempt to do more had been invariably discountenanced. What was done in the present case? W. Simpson was called, and instead of being asked whether he had a belief in the Godhead and a future state of rewards and punishments, was at once, and in a moment, put upon his own trial for blasphemy. Their Lordships were aware of the extreme caution of the law of Scotland to enable a party to prepare for his trial. He must for forty days have a copy of the indictment, and a list of all the witnesses. Here, however, this witness was put upon his trial, for an offence which, if he were guilty, would render him, not only in his own country, but all over the world, altogether infamous. Here the party had no notice of his trial, and four witnesses were examined, who were asked whether he had not denied the doctrine of the Trinity?—whether he had not spoken irreverently of the Holy Scriptures?—and whether he had not lent one witness (named Ray) a copy of Volney and Voltaire? Not only was this contrary to the existing law in this country, but contrary to the law of all countries in which due attention was paid to the character of witnesses, such was the care taken in England of the character of witnesses, that if a witness were asked whether he had committed any offence, or whether he had not said something, if he denied the truth of the charge no evidence could be called upon it. And did not all the reasoning on which this case was founded apply, *à fortiori*, with regard to the religious opinions of a witness, who ought himself alone to be examined, and his examination ought to be taken as conclusive? He now came to another matter, which was if possible more serious, in reference to the examination that took place with regard to the religious opinions of the witness. If this examination were according to the law of Scotland, there was nothing like it in Europe since the inquisition; for witnesses were called, not only to prove the belief as to the being of a God, and also a future state of rewards and punishments, but also as to all his peculiar doctrines on disputed points of theology. He held that this examination was wholly unnecessary; and if it were unnecessary it was entirely wrong. The court must ascertain whether an oath is binding on the conscience of a witness, and the proper mode of administering an oath that would be binding, but beyond that the judge ought not to proceed. As it was laid down upon a great heathen authority—

> "Nullum vinculum stringendam fidem jurejurando arctius,"

An appeal to the Supreme Being was not only justifiable but necessary. It was an appeal calling the Deity to witness; and to know whether a witness believed in him, and that he enjoined truth and prohibited falsehood, was required; but if this examination were to be extended, a witness would have to state, not merely that he believed in the Christian religion, but whether he was a Calvinist or an Arminian—a Unitarian, Trinitarian, or Socinian—a Tractarian or Puseyite; or whether he disliked the doctrine which was now so much in vogue. It was laid down, not only in England, but in Scotland, that a person need not even be a Christian to be examined. By the English law a Jew might be sworn by Jehovah upon the Old Testament; a Turk might be sworn on the Alcoran, and so was a Gentoo on his own mode of oath, so that it was binding upon his conscience, as it had been held by Lord Hardwick, who called to his assistance the different chief justices. Since that period every one might be examined on taking the oath most binding on his conscience. On reference to the authorities he found the law laid down so far back as the year 1712, in the case of Menzies *v.* Morrison:—

"It being objected against a Jew, who was adduced as a witness in a cause, that Jews bear a rooted hatred against all Christians; the Lords thought, that if a Jew were a witness in a cause betwixt a Christian and a Jew, there might be reason in that case to suspect him; but it being betwixt two Christians, his disowning Jesus Christ for the Messias did no more incapacitate him than it would do a Socinian, our *formula jurandi* mentioning only God in the general; and though a Jew did not swear on the New Testament, yet he will swear by Jehovah or the law of Moses. Nay, which is more, a Turk or a Pagan is capable, for in Captain Green's case of piracy, two heathen boys were admitted; and if in criminal, why not in civil cases? It was also remembered that the Queen had knighted Sir Solomon de Medina, a Jew, and if capable of honours, why not of bearing testimony? And we allow Quakers to declare in their own way; the Lords, therefore, admitted him *sine nota.*"

And in the case afterwards, in 1770, of Nicholson *v.* Nicholson, it was said,—

"A negro slave, not a Christian, but who believed in a God and a future state, was admitted as a witness in a civil case, and this was affirmed on appeal"

By the House of Lords. It was laid down by Bankton, b. iv., s. 30, that—

"An Atheist-infidel cannot be a witness, but a Jew or a Mahometan may, because he owns the being of God, to whom alone appeal is made in an oath. And, therefore, if one declares his acknowledgment of God, the objection is removed, though he does not believe the blessed Trinity of persons, or even denies revealed religion."

And Burnet, p. 395, said,—

"A witness is not set aside because he is not of the Christian persuasion. If he believe in a Supreme Being, and understand the obligation of a solemn appeal to the Deity, he will be admitted to give evidence after making such appeal."

"It is now held," (said Tait on *Evidence*, p. 347,) "although less liberal ideas seem to have been at one time entertained, that all persons are admissible as witnesses, whatever their religious principles may be, provided they believe in a God and a future state of retribution, in which falsehood will be punished."

And since that period all other examinations into the character of a witness was overruled. In the case of the King *v.* Taylor, in 1790, Peake, p. 11, in a trial which took place before that eminent judge, Mr. Justice Buller, he stopped the examination as to particular religious opinions, and asked him,—

"Whether he believed in God, the obligation of an oath, and a future state of rewards and punishments?"

The witness answered in the affirmative, and was admitted. The late Lord Chief Justice, Lord Tenterden, then Mr. Chief Justice Abbott, in the year 1820, in the Queen's case, laid down the law, saying,—

"I conceive that if a witness says he considers the oath as binding on his conscience, he does in effect affirm that, in taking that oath, he has called his God to witness that what he shall say will be the truth, and that he has imprecated the Divine vengeance if what he shall afterwards say is false; and having done that, it is perfectly unnecessary and irrelevant to ask any further questions."

All the authorities had subsequently adopted this as the law; and Philips, p. 910, in his work on evidence, to which he had already referred, thus summed up the rule:—

"If such issues were permitted, judicial investigations would be interminable; the expense might be enormous; and the character of persons called as witnesses might be unjustly assailed by evidence which they would not be prepared to repel."

"The proper mode," (he said,) "of examination for this purpose, is not to question the witness as to his particular religious opinions, but to inquire generally whether he believes in the existence of a God and in a future state."

If that were the rule, how had it been acted upon in the case to which he had referred? The witness had declared his solemn belief in the existence of God, and in a future state of rewards and punishments; and further, that he was accountable to that God which had created him. He was asked also, not only whether he believed in divine revelation, but his opinion with regard to disputed points of Christian theology. The judge himself had asked him if he believed in the Atonement, and questioned him as to the particular parts of the New Testament which he did not believe. Four witnesses were called, who were asked whether he had not denied the Trinity, and whether he had not in his possession books which were said to be profane, written by Volney and Voltaire. If this precedent were suffered to remain, and if it were to be acted upon, in what situation would a person be who was subpœnaed to give evidence in a court of justice? In the first place, he would have to be examined himself as to any doubts he might have entertained at any former period of his life. Their Lordships must recollect that some of the most conscientious members of the Church of England had at some periods of their lives doubted; that some had even gone over to the church of Rome; and then, having repented of their errors, had come back to the church in which they had been baptized. Was a person who had been subpœnaed to dread an examination into all the doubts he had entertained and into all he had said at a period of time long passed? Let them take the case of the greatest philosopher—the most profound reasoner, Sir Isaac Newton himself. It was well known that he held peculiar doctrines as to some points of Christian theology: ought he to have been examined as to his part in Arian controversy? It would be committing a most monstrous injustice if such questions were allowed to be asked. But let them see how the mischief would be aggravated if they were to examine witnesses as to what had been said upon this point or other points at any former period of the witness's life. If the evidence were true ought such facts to be revealed, and blazoned, and discussed in a court of justice? Suppose a Prelate of great piety and learning, who was an ornament to his church, should be called as a witness, should it be permitted for any malicious person to give evidence of what he had said in his schoolboy or college days? They must receive all evidence if they receive any, and was there not great danger that false evidence would be brought? How could a person be prepared to refute and contradict on the instant a perjured witness, brought to swear most distinctly to supposed facts? Would they not possibly thus lose the evidence of a most pious man, and an ornament to society? The English law, therefore, wisely said that a witness was to give his own account of his opinions, and that his statement was to be received as conclusive; because he could not be called upon to vindicate every act of his former life, and could not be prepared on the instant to produce evidence to contradict false testimony. If such examinations were allowed, the trial would be infinite. The party might call witnesses to prove that the witnesses against himself were wholly irreligious, and so they might go on, witness to witness, into an endless examination. For these reasons, the law said, that this evidence should not be permitted, and most melancholy would it be to see any further attempt made to change it. The witness Simpson was asked if he had Volney and Voltaire in his library? He denied that he had; but supposing that he had admitted the fact. They were works full of error, but it did not follow, because a man had them in his library that he believed the doctrines they inculcated. All would recollect the time of Algernon Sydney, who was illegally convicted because he had in his closet a manuscript work on the Government, which no eye had seen but his own. Another instance not so well known was quite apposite. It occurred on the trial of Archbishop Laud. One of the articles exhibited against him was that he had favoured the Papists, and that he had in his possession the Papist liturgies, and other works on the Romish faith. His anwer was,

> "True, I have such books in my library, and I have them to refute the errors of Popery, and to reclaim to the Church of England those who have erred. Moreover, I have the Greek liturgy, and I have a dozen copies of the Alcoran, which I have deliberately read; and shall it be said that because I have the Alcoran in my possession, I am a Mahometan?"

What right had they to ask the contents of this man's library? and how could they draw a fair inference that he was an infidel even if he had possessed that which he denied, the works of Volney and Voltaire? He now came to what he considered the third deviation from correctness in this trial. He had heard it said, that the objection was removed, if it was shown that Simpson was not rejected as a witness, and because the Lord Justice Clerk had only intimated to the counsel for the Crown that he ought not to press for a conviction. He considered that that was the worst part of the case. If the judge had found, that the rule of law was imperative, and that the evidence could not be received, he was bound to reject the witness; no stigma would then have been fixed on the witness. He apprehended, that the office of the judge was to determine whether the witness were competent or not; and if he were competent, it was the office of the jury to determine whether he were entitled to credit. After stating that he was a member of the Church, and would participate in the Lord's Supper if he could, an intimation was given by the judge to the counsel that, as the witness could not be believed, it would be better not to press the charge.

William Simpson must, therefore, have been considered guilty of blasphemy, and from the religious feelings of his native county, which he honoured and respected, when W. Simpson retired into the country, he would be considered a degraded and disgraced man, and when he died, it would be thought that he ought to be buried in the sand of the sea shore. He had seen it stated, in a forced argument on this subject, that the witness had a remedy, because he might bring actions against the four witnesses if they had given false evidence. These four witnesses ought never to have been examined, and as they spoke to conversations with Simpson, he was wholly without evidence to contradict—he was without any remedy, and must submit to the degradation and infamy that rested upon him. He humbly argued, that the judges ought to have determined either that the evidence of the witness could not be received according to the law of Scotland, in which case the law would have been to blame, or they ought to have permitted him to be examined, and have left it for the consideration of the jury whether he was to be believed. Neither course had been followed, but a recommendation was made to the Advocate-Depute, a young gentleman who could not be supposed to be willing to resist the recommendation of the learned judge. This part of the case was withdrawn, and Simpson retired from the court as a person on whose oath there could not be the slightest reliance. It might be thought, that the mode of proceeding tended to promote religion. His humble opinion was, that it had a directly contrary tendency, and that on every account it ought to be condemned. It was not by this mode of proceeding that they could punish the individual entertaining heterodox opinions. Let them see by this rejection what injury they did to the parties deprived of the evidence. Their Lordships might experience it—they might have evidence rejected with regard to the execution of a will, because the opinions of one of the witnesses were not orthodox. Again, in another case, was a murderer to be allowed to give evidence to cause a witness to be rejected—that the murderer might escape with impunity? It seemed to him, on every account, to be of the last importance that this, which he would call a great constitutional question, should be settled. According to the best inquiries which he had been able to make, he did not believe that this was the law of Scotland; but if it were the law of that country, it was a defective law, and ought, as soon as possible, to be removed. He would conclude by moving for a copy of the record of the last assizes for the circuit of Stirling, on the trial of James Henry for an assault upon William Simpson. He confessed, however, that his main object was to obtain the opinion of the noble and learned Lord on the Woolsack, whether this were the law of Scotland; for if it were the law, he would give notice of a bill by which it should be altered. He wished to cast no blame upon the judge. If he had erred, it was through mistaken views of the law; but that he had erred was his decided opinion.

The *Lord Chancellor* said, that the motion with which his noble and learned Friend had concluded, was quite irregular. It was, indeed, in the extremest degree irregular. The noble Lord had given no notice of the motion. It was not his intention to follow the noble and learned Lord into his discursive comments on the law of evidence in England. He acceded to everything the noble and learned Lord had stated; there was no doubt about it. They were not, however, speaking of the law of England—they were now referring to the law of Scotland, and the question, and the only question was, what was the law of Scotland on this point? He much regretted the course which his noble and learned Friend had pursued. If his noble and learned Friend had reason, or thought he had reason to complain of the law of Scotland, he was perfectly capable by giving notice of a motion, or a resolution, or by introducing a bill, to apply a remedy. If, on the other hand, his noble and learned Friend complained of the administration of the law, he ought not to have acted upon light rumour—he ought to have communicated directly with the learned judges themselves. The course which his noble and learned Friend had taken was calculated in the highest degree to impair the due administration of justice. It was not his noble and learned Friend's intention to make any motion as to the conduct or character of the learned judges; but, without having that view, he had brought their conduct and character under consideration for the purpose of subjecting them to comment and controversy in that House. The statement made by the noble and learned Lord he would undertake to say, upon the authority of the learned judge presiding at this trial, was wholly unfounded, and without any warrant whatever. He should not discharge his duty to the learned judge of Scotland, and to the Lord Justice Clerk, who presided at the trial, without stating shortly and concisely what the circumstances of the case were. Their Lordships would see, after that statement, that there was no reason for the extraordinary, perverted, and exaggerated statement of his noble and learned Friend. Two learned judges had presided on that occasion—one of those judges had been in practice at the bar in Scotland, with great reputation and credit to himself, for a long series of years. He had held the office of Solicitor-general for fourteen or fifteen years—he was more practised in the criminal law of Scotland than any individual now living. The other judge was Lord Medwin, a person of great learning and of irreproachable character, who had sat upon the bench administering justice for many years. Was it likely that two such individuals should mistake the law which they were administering in so important a case? Was it probable that the statement of his noble and learned Friend could be correct? The case was a prosecution for an assault—the witness called to prove that the defendant had committed the assault was the chief constable of Kinross. It was objected by the counsel, on the part of the prisoner, that he was not a competent witness, because he did not believe in the existence of a Deity, or in a future state of rewards and punishments. That, his noble and learned Friend had said, was a good and valid objection to the competency of a witness according to the law of England. That objection was admitted to be valid by the judges, and the counsel for the prisoner proceeded to do that which he stated, on the authority of the learned judges themselves, was according to the law of Scotland, and according to the practice of the courts there—the counsel for the prisoner called witnesses. If the Lord Justice Clerk and the other learned Lords were satisfied that this was the law of Scotland, what right had they to prevent this examination? Two witnesses were sworn, who deposed to the fact of conversations with the prosecutor, in which he had not only denied the existence of a God, and a future state of rewards and punishments, but had endeavoured to inculcate these doctrines upon the witnesses themselves, who were young men little more than twenty years of age. Two other witnesses were called who did not state the same facts, and, as their Lordships knew it was extremely difficult to prevent witnesses, in such examinations from stating facts not immediately relevant to the objection, and not in strictness referable to it. The counsel for the prisoner, Mr. Logan, had conducted the examination with great propriety. He had endeavoured to exclude everything which was not strictly in point, and both the learned judges had interfered for the same purpose, but had felt the difficulty of so restraining the witnesses as to prevent circumstances from coming out, which in strictness were not applicable to the immediate subject matter of inquiry. It had come out that the prosecutor ridiculed the Christian religion—spoke contemptuously of the person of our Saviour—and had used other expressions too shocking for him to repeat there or anywhere, and unfit for the public ear. What was the course then taken by the judges? It was directly opposite to that stated by his noble and learned Friend. The counsel for the Crown insisted upon cross-examining these witnesses. He had a perfect right to do so; but the learned judges did that which by the law of Scotland they were bound to do—the oath was administered. It was preceded by the question, "Do you believe in the Deity, and in a future state of rewards and punishments?" The answer was, "I do." The oath was administered, and the party was examined as a witness by the Advocate Depute. Not one question was put by the judges—the whole examination was conducted by the Advocate Depute. The judges had no right to interfere—it would have been improper for them to do so; but in the course of the examination, when the inquiry was made whether the party was willing to communicate, the Lord Justice Clerk did observe, "Surely you do not mean to communicate, when you do not believe those passages of Scripture which relate to the life of Christ?" The witness hesitated a moment, and then said, "I do not understand." The learned judges then consulted together, and were of opinion that the objection to the competence of the witness should be over-ruled. Such, however, was the impression of the judges, and he believed upon every one present in court, that one of the judges did say to the counsel for the Crown, "Do you press this case?" The Advocate Depute said, "I have already made up my mind not to do so." Other evidence was given against the prisoner for another assault, and he was convicted. That was the real case. There was no examination by the judge. The judges presided whose names he had mentioned, and when he mentioned their names he was sure that every one would pay the greatest respect to them, and they concurred in their statement of the proceeding. If the law of Scotland, taking the facts from the judges, was such as he had stated, was there any blame to be imputed to the judges? He was sure their Lordships would say there was not. They had acted in conformity to their duty, and to what they considered to be the law of Scotland. It was the law of Scotland; and were their Lordships to sit there to hear appeals against the administration of that law? As the noble and learned Lord entertained some doubt as to what the law of Scotland was, he had under the hands of the learned judges a statement of what the law of Scotland was—of the practice under the law, and various arguments in its support. He would not enter upon that question—he would not enter into a consideration whether the law of England or the law of Scotland were better in criminal or civil matters—he would not permit himself to have his attention withdrawn from what he considered to be an attack upon the learned judges, which ought not to have been made without a communication to those learned individuals, and if there had been any communication, he was satisfied that the subject would never have been brought forward in that House. It was the law of Scotland. He found it so laid down by Stair and by Erskine, but he would not enter upon that, because he would not argue as to the law. It was not competent for him to say, that the authorities were not correct. The Lord Justice Clerk stated, that this was the law of Scotland, and that it always was so; and Lord Medwin asserted that it had been the law throughout the whole of his career: nay more, he had the authority to the same effect of the present Lord President, who had presided so many years over the highest criminal court in Scotland—the High Court of Justiciary. Then what was the charge against these individuals? A person was brought to trial, an objection was made, which they were bound to investigate; and how was it made? It was made according to the law of Scotland. The judges stated it now to be the law. He would not be driven into an argument *ad inconvenientem* as to whether this law was bad, or whether it ought to be altered. If his noble and learned Friend would bring in the measure which he had threatened, he would consider the merits of the two systems. He had not, in the present case, considered them, because such a consideration would not be in accordance with his views of the present discussion. When any bill was before the House, he would consult the eminent lawyers of Scotland. He would contrast their opinions with the opinions of those who advocated the law of England, and he would then say whether he would support a change. But this was for the future. All he would now say was, that no imputation rested upon the character of these learned judges. He would put it to his noble and learned Friend himself—recollecting that he had recently held a high judicial situation—that he might be again called upon to fill one equally high—whether, without any communication with these learned judges, their conduct ought to be brought forward for attack, and through his noble and learned Friend, for he was not the authority, such charges should be made for the purpose of calumniating and attacking these eminent individuals.

Lord *Denman* would bear testimony to the correctness of what his noble and learned Friend had said with respect to the law of England. The practice of Westminster Hall, in which he had been not a few years, independently of the time he had occupied a judicial situation, had been uniform. These questions were not put to any other individual than the witness himself; there was no other authority appealed to than his own account. With regard to which course was best, the subject was not then under discussion, but he thought that the English mode of proceeding had been founded, in a great degree, on the strong sense which the judges entertained of the great inconvenience of discussion upon these points; of the impropriety of having religious doctrines buffetted about in courts of justice; and of the extreme scandal which might arise from such a course. He would not venture to give an opinion as to what the law of Scotland was, or as to what the law ought to be; but with regard to the law of evidence generally, it would hardly be thought that a rule was right in one country which was not admitted generally to be right in all. If the law in this country were admitted to be right, it would be well worthy of consideration whether they should not revise a law by which an individual, coming as a witness to inculpate others, might be suddenly put upon his own trial.

Lord *Wynford* said, that the law of England had been correctly stated by his noble and learned Friend; but this was the case of judges sitting in Scotch courts, who were bound to proceed according to the law of Scotland.

Lord *Abinger* did not think that he was called upon to state his opinion at the present time as to what was the law of England. He had his opinion upon that subject, though he did not believe himself to be then called upon to state it; but he did venture to state to their Lordships his opinion that they ought not to assent to the passing of any censure upon the Scottish or Irish judges merely for some miscarriage, as they found it stated in the newspapers. Their Lordships sat in that House for two purposes; they sat as a legislative body, and they sat also judicially to hear appeals. If this were to be the subject of an appeal, that would be the right time to consider it. They might be called upon to join in an address to remove these judges, and what would be the situation in which they would be placed if, when they were so called upon, they had already passed a vote of censure? The judges of Scotland and Ireland would not be fairly dealt with if they were to be censured upon some representation in the newspapers, or on some private communication made to a noble Lord. Whether those judges were right or not, he would not then determine or debate; he would only enter his protest against a practice which was becoming too common in that and the other House of Parliament, of attacking individuals who were not present to defend themselves. What right had they to pass a censure on these judges? Any coffee-house politician might do that. They did not sit in that House as a debating society to pass censure here and there. Till the bill announced by the noble Lord were before the House, he would not even consider whether the law was right or wrong, he would merely protest against these discussions.

Lord *Brougham* wholly differed from his noble and learned Friend, for he did not think that any charge was made against the judges. His noble and learned Friend near him had merely stated, that his opinion leant against the practice and the course taken at the Scotch trial; and he had stated, that if this was the law, and if the course taken were according to the law, his noble and learned Friend gave a general notice of his intention to proceed legislatively for the purpose of altering the law. There was no one who was disposed to hold higher than he the sacredness of the judicial office, there was no man who had more constantly and habitually discountenanced any light attacks upon a judicial tribunal, and he would have been the first to reprobate the course of his noble and learned Friend, if he considered that he had attacked the judges who had tried the cause. He held that their conduct stood unimpeached and also unassailed upon the present occasion. They had not mistaken the law, they had not miscarried; their Lordships had had it declared, that the law was in conformity with this proceeding. Of the law of England there was no doubt, all were agreed upon that; they might have a preference for this law over the law of Scotland, but that was not now the question. Their Lordships had the deliberate statement by the judges who had presided at the trial of what the law was, and they had appealed to their brethren on the bench, who were out of the scope of the present inquiry, who agreed in stating, that they had rightly apprehended the law, and truly and properly administered it. This was the opinion of the Lord President, who for thirty years had presided in the High Court of Justiciary. He spoke with great doubt when he hesitated to think that this was the law of Scotland, because he had necessarily had no experience of what the law was, because there was no appeal to that House from Scotland in matters criminal. Their Lordships were supreme in matters civil, but in the criminal law they had no jurisdiction. His doubt would arise because the practice might not be clearly defined, the objections might be so rarely made, that they could hardly have formed a precedent, and the practice was totally irreconcileable with his ideas of what the course of proceeding ought to be, arising probably from his own practice: but even if there was any foundation for his doubt, even if the law were not so clear as it had been declared to be, he would only observe, in fairness to the judges, that the counsel for the prisoner tendered the witnesses. Whose place was it to object to this evidence? The counsel for the Crown? The counsel for the Crown had allowed the examination to pass as a matter of course. Therefore, if the law was to the contrary—at all events, if the matter only remained doubtful, and if, upon the whole, reconsidering their judgment, they should consider that there had been a miscarriage, anything less venial than to allow the examination to proceed, when there was no objection, he could not conceive. Not only was nothing affixed to the conduct of the judges, but they were not assailed. No blame attached to them from the beginning to the end. If, on further inquiry, the law of Scotland should be found so different from our own, as no doubt it would, it would be time to consider whether an alteration in that law was not advisable. When the proper time came he was ready to give this subject his best attention—that great attention which it deserved from the high interests involved, and the great delicacy which he freely admitted there was in adopting a proposition for an alteration of the established law of Scotland. He recollected that when he was abroad some years ago with a learned Friend presiding in one of our courts, he was struck, on attending a trial, to find that though a child, who did not understand the obligation of an oath, could not be examined; yet the evidence of two adults was received, to whom the child had told her story not upon oath. He, with the full authority of Lord Ellenborough, had made a representation, which he hoped had, ere this, led to an alteration of the law. It was not many years before, that the law of England was thought to assimilate to this very state. In the year 1779, Mr. Justice Buller, on a trial for a rape on a child seven years of age, who could not be examined, had admitted the evidence of the mother and another adult, who had heard in conversation with the child the facts, and a conviction was had upon that evidence. It was true, that upon the matter afterwards coming before the twelve judges they were unanimously of opinion, that the conviction ought not to have been had, and a free pardon was granted. This showed the danger of saying that anything was not the law of Scotland because it was different from our own. It also showed the danger of stating, that our own was so much better a system than any other. He had only to add his satisfaction that the result of that inquiry would be to place, not only beyond assault, but also beyond the possibility of suspicion, these learned judges; and if upon inquiry the law should be found in the state in which he had no doubt upon their authority it would be found, he would willingly consider whether a law to which he was not prepared to give any approbation, should continue.

Lord *Campbell* did not regret that he had brought forward the subject, notwithstanding the remarks of the noble and learned Lord. It was gratifying to find that all the noble and learned Lords who had spoken had agreed as to what the law in England was, and although the noble and learned Chief Baron had declined to give his opinion of the law, he had not stated, that the other noble Lords were in error, or expressed any doubt of the correctness of their statements. He could not say with his noble and learned Friend (Lord Brougham), that he considered the law of Scotland to be as laid down by his noble and learned Friend on the Woolsack, on the authority of the judges of Scotland. He had used his own reason and research to find out what the law of Scotland was. He sat four days in the week by the side of his noble and learned Friend (Lord Brougham), to hear appeals from the courts in Scotland, and he had again and again agreed with his noble and learned Friend in overruling the decisions of the Court of Session, ay, and that too when the judges had been unanimous in favour of that decision. It was upon no light ground that he said so, but he must declare, that his opinion was, that those two learned judges were mistaken. He had read Bankton, and he had read Stair, and he found no authority, no text, no report, of any decision which would justify any such law as had been delivered by those learned judges. But he did not speak from his own researches only; he had inquired from those who had great experience in the law of Scotland, and they had told him, that the proceeding at the trial in question was quite new, and had caused the greatest surprise and consternation.

The *Lord Chancellor* said, that in justice to the learned judges he must repeat, that it was difficult to restrain the witnesses from stating things that had no direct bearing on the case before the court, and that the judges were constantly obliged to interpose to stop them. Mr. Logan, who was counsel for the prisoner, did the same.

Lord *Campbell* would ask their Lordships whether it was likely, that without any question being put, the witness (Mr. Simpson) would say, that he believed in the Atonement, and in the doctrine of the Trinity, and that he had never said, that he disbelieved that doctrine, and that he went to church every Sunday? Did their Lordships believe, that all this was said by the witness without any questions being put to him? It followed inevitably—whether the questions were put by the judges or by the counsel—that those questions were put, and that it was in answer to them that these statements were categorically made. He believed that all this was contrary to the law of Scotland, and that the law of Scotland was free from the reproach of subjecting a witness to have his conscience tried as if he were before an Italian inquisition, and of putting a witness to the torture as to all the doubts and difficulties that might have passed through his mind, during a long life, on religious subjects.

The *Lord Chancellor* must again state, that the learned judge at the trial frequently interposed, and said, that it was no objection to the competency of the witness that he did not believe in the Christian religion. The only question was, did he believe in a Deity and in a future state?

Lord *Campbell:* The case thus became worse and worse, for if there was no objection to the competency of the witness, why were the questions put, and why did not the judges interpose?

The *Lord Chancellor:* What the judges stated to him was, that it was extremely difficult for the court to prevent the other witnesses from saying things that were not evidence; and it was in consequence of those irrelevant statements that the judges interposed, and not on account of questions being put, for none were put, leading to those statements.

Lord *Campbell* was not speaking of what other witnesses said; he was speaking of what William Simpson himself said. Did their Lordships believe, that Simpson, without any questions being put to him, would have said, that he believed in the scheme of Christianity as disclosed by the Scriptures? Did their Lordships believe, that he of his own accord, would have said that he believed in the Atonement? Questions must have been put, and if not by the court, they were put with the sanction of the court, and the judges had, therefore, in his opinion, neglected their duty in not immediately interposing, as Lord Denman would have done, as Chief Justice Tindal would have done, and as the Lord Chief Baron would have done, to protect the witness from such improper inquiries. But, then, said his noble and learned Friend, their Lordships had no jurisdiction. He begged leave to differ from that opinion. Besides their judicial and legislatorial functions, they had a function of a corresponding nature with that which was possessed by the House of Commons. The House of Commons was called the grand inquest of the nation; and at the beginning of every Parliament that House appointed a grand committee of justice. It was true their Lordships did not go through that form, but they exercised a general jurisdiction in seeing that justice was properly administered, and it was one of the most important and beneficial functions belonging to their Lordships. It was only by a mode such as the one he was now adopting that matters of this description could be brought before their Lordships and animadverted upon. He knew nothing of the witness Simpson; he might be a very profligate person; but what was law for him would be law for every one of their Lordships, and law for the right rev. Prelates if they were called upon to be witnesses in a court of justice: the precedent, therefore, which this case would set would be productive of the worst consequences if it were allowed to pass without animadversion. His noble and learned Friend on the Woolsack had complained of the irregularity of the present motion without notice. He had concluded with the motion that he might not be subjected to the charge of making a long speech, and not submitting any motion whatever. However, if his noble and learned Friend persisted in his objection, he would not press his motion. [The *Lord Chancellor* certainly should object to it.] He would, then, with the permission of the House withdraw the motion: but he trusted it would not be forgotten that it was the unanimous opinion of all their Lordships who had taken part in this debate that all the proceedings which took place at Stirling would have been stopped by the law of England, and that there was every reason to believe that the law of the two countries was the same. For the Lord Chief Justice Clerk, Lord Medwin, and the Lord President, the three judges who had decided this case, he entertained the most sincere respect; but he continued in the belief that they, though with most excellent motives, fell into a great mistake, and were guilty of miscarriage on the trial to which he had referred. He trusted their decision would not be found to be the law of Scotland; but if there should be any doubt upon the subject, or if a declaratory act were necessary, he would pledge himself to bring in such a bill as should remove all doubt, and make the law of Scotland as clear and certain as was the law of England on this important question.

The Earl of *Haddington* said, that as neither his noble and learned Friend on the Woolsack, nor the noble and learned Lord opposite (Lord Brougham) could persuade the noble and learned Lord (Lord Campbell) that the law of Scotland was as it had been laid down by them, with the authority of the Scotch judges themselves, it was not likely that anything an unlearned person could say would have any effect. But with respect to the facts of the case, the noble and learned Lord (Lord Campbell) was in error when he said that questions had been put to the witness Simpson for the purpose of eliciting certain answers upon the various doctrines of the Christian religion. The fact was, that the witnesses who were examined before the examination of Simpson stated things calculated to impugn Mr. Simpson's credit as a Christian, and even as a believer in a Supreme Being. Simpson was afterwards called, and, having been sworn, was examined by the counsel for the Crown, who brought him forward, and it seemed but justice to the witness that certain questions should be put to him, with a view to set himself right. He thought that was a circumstance which sufficiently accounted for the learned judges having allowed that species of inquiry to go on.

Motion withdrawn.

Their Lordships adjourned.

HOUSE OF COMMONS,

Monday, June 13, 1842.

MINUTES.] BILLS. *Public.*—1°. Assessed Taxes; Grand Jury Presentments (Ireland); Assessed Taxes Composition.

Reported.—Sugar Duties; Double Costs; Dean Forest Poor; Dean Forest Ecclesiastical Districts.

Private.—1°. Toxteth Park Paving and Sewerage (No. 2).

2°. Lagan Navigation.

Reported.—Gair's Naturalization; London Bridge Approaches and Royal Exchange Avenues; St. Briarel's Small Debts.

PETITIONS PRESENTED. By Mr. Masterman, from Coleman-street Ward, for the Redemption of the Tolls on Waterloo Bridge.—By Mr. Stuart Wortley, from Holmfirth, for Alteration of the Poor-law Amendment Bill.—From Colchester Union, against the Poor-law Amendment Bill.—By Mr. Bell, from Northumberland, and Durham, against the Employment of Children in the Mines and Collieries.—From the Subscribers to the Queen's County Infirmary, against placing such Institutions under the Control of the Poor-law Commissioners.—By Captain Berkeley, from Frenchay, for the Abolition of Church Rates; and from the Catholics at Bristol, for Equality of Civil Rights.—By Captain Thomas Wood, from Staines, and Winchester, against the use of Railways on Sundays.—From Enfield, against any further Grant to Maynooth College; and from H. E. Edwards, against the West Middlesex Water-work Company.—By Mr. Brotherton, from Salford, and Stebbing, for the use of Affirmations in lieu of Oaths.—From the Presbytery of Nairn, for the Amelioration of the Condition of the Burgh and Parochial Schoolmasters of Scotland.—From Kingston-upon-Hull, for a Clause in the Municipal Corporations Act to confer upon Town Councils the power of Erecting and Regulating Lunatic Asylums.—From Trustees of Doncaster, and Hutfield Roads, Bawtry and Lelly Roads, and Bawtry-bridge and Hatton Road, against the Turnpike Roads Act.—From the Rev. B. Phillpott, for Amendment of the Law relative to the Rating of Tithes.—From Abraham Abrahams, for an opportunity to refute the Assertion of John Wren touching the Southampton Election.—From R. Smyth, against the Fisheries (Ireland) Bill.

TEXAS—THE BLOCKADE.] Mr. *D'Israeli* wished to ask the right hon. Baronet near him, whether it was the intention of the Government, before they recognised the blockade of Mexico by Texas, to recognize the independence of Texas?

Sir *R. Peel* apprehended that the recognition of a blockade did not depend on the previous recognition of the belligerent state. There were several instances in which this country had recognized a blockade without having previously recognised the particular state instituting the blockade. In the present case, however, as he had before stated, treaties had been concluded with the Government of Texas, by persons having the authority of Her Britannic Majesty for that purpose; this occurred under the late Administration, but since he had come into office, he had seen no allegation whatever that the parties employed to make these treaties had exceeded their authority. It was not necessary for him to state whether he considered those treaties wisely conceived, or otherwise; all he had to say was, that they had been concluded, and as there was no allegation that the parties concluding them for the British Government had exceeded their authority, he did not feel it necessary for the present Government to advise her

Majesty not to ratify those treaties, and they would accordingly be ratified by the time specified, namely, by the 1st of August next.

Bribery at Elections.] Viscount *Mahon* wished to ask the noble Lord opposite a question in reference to his bill for the correction of bribery. Several clauses of that bill rested on the supposition that election committees would continue, as at present, within the jurisdiction of the House. Now the noble Lord was aware that he and many other Members thought that the House would better consult the ends of justice by parting with that jurisdiction. The bill which regulated that jurisdiction was to expire with the present Session, and the question of its renewal was probably to be discussed within a few days. He therefore wished to ask the noble Lord whether he would consent to postpone the second reading of the bill until the principle which he here pointed out had been discussed and decided?

Lord *J. Russell* considered that as the jurisdiction of deciding on election petitions, and as to who were lawfully and rightly elected, had remained in the House for more than 200 years, they could not, as matters now stood, act on any other supposition than that the jurisdiction would so continue. Of course, if the House hereafter decided upon parting with this jurisdiction, the House would make its other regulations and proceedings conformable to the change, and the measure now before the House, if passed into a law, would be also made conformable; but at present he saw no reason to postpone the second reading of his bill, on the mere supposition that the House might, perhaps, on some future day, take a view of this part of the subject altogether different from its long established principle.

Coal Duties.] Mr. *Hutt* begged to know what the right hon. Baronet proposed to do as to the coal duties.

Sir *R. Peel* said, Government did not intend to adhere to the duty which it some time since announced on the export of British coal, namely, 4*s*. The proposal which Government now intended to make, and which he hoped would meet with the general assent of the House, would be,—that on round coal exported from this country there should be laid a duty of 2*s* per ton; and on small or screened coal, of 1*s*. per ton.

Lord *J. Russell* asked whether any drawback would be allowed in favour of coal exported for the use of steam-vessels in the service of British subjects?

Sir *R. Peel* said, that the position of these steam-vessels in reference to the supply of coal had been taken into consideration by the Government, and the very great difficulty of allowing a drawback was one of the reasons which induced them to make the reduction in the proposed duty which he had just stated. He hoped that with this reduction the House would not think it necessary to incur the risk of fraud which the allowance of drawback would certainly involve. The loss to the revenue he estimated would be about 50,000*l.*

The Gold Coin.] Mr. *Childers* said, that of late very great inconvenience and loss had been sustained by the public, more especially by the humbler classes, in consequence of the proclamation respecting the depreciated gold coinage. Every day innumerable cases were occurring in which poor people, ill able to afford it, were subjected to a loss of one shilling in the pound, and even more. It was very true that similar proclamations had been issued before, but the last of these was twenty-one years ago. He did not mean to say that the proclamation lately issued might not be a very proper and necessary one; but he thought that some method should have been, and, at all events, should now be devised, for mitigating the consequent loss. He would suggest, with reference to the poorer classes, that something might be done by the medium of the savings'-banks towards letting them receive the full value of what money they had.

The *Chancellor of the Exchequer* was very glad that the hon. Gentleman had mentioned the subject, as it gave him an opportunity to dispel, he hoped, an impression which generally prevailed, and which had been given circulation to by interested parties, that the value of the old sovereign was greatly below that of the more recent gold coinage. Of the large number of sovereigns that were paid into the Bank, which gave a fair criterion, the deficiency in weight varied from 1¼ to 1½ per cent.; so that the loss of 3*d*. in the sovereign would completely compensate for the deficiency of weight in the average of cases. Some might be a little more, some a little less valuable; but certainly threepence in the pound was the utmost average deterioration. He was, however, at the present moment in communication with the officers of the revenue, with the view of facilitating the exchange of light coin, so as to meet the wants more especially of the humbler classes; but he was anxious in the interval which must necessarily elapse before this arrangement could be brought into operation, to have it distinctly made known to the public, that the diminution of the value was not in any case such as to justify the demands which were made by interested persons on the holders of light sovereigns.

PROVISION RIOTS AT ENNIS.] Mr. *O'Connell* begged to ask whether the right hon. Baronet opposite would have any objection to lay on the Table of the House the coroner's inquest, and the report of the commissioners sent down by Government to Ennis, to inquire into the unhappy and frightful scene which had taken place there, and in which several had been killed?

Sir *R. Peel* said, that all he knew of the case officially was, that the Lord-lieutenant of Ireland, immediately upon hearing of this lamentable occurrence, sent down a Queen's Counsel to take a report of the matter, and that a verdict had been returned by the coroner's inquest; and under these circumstances, he hoped the House would not press at present for the papers.

Mr. *O'Connell* said, that besides this, another inquiry of even higher interest was whether Government had done, or was about to do anything to relieve the fearful distress which prevailed in all parts of Ireland, even in Wicklow, the district nearest Dublin?

Sir *R. Peel* would only say, that the Government was deeply alive to the importance of the subject.

CUSTOMS' ACTS — THE TARIFF — CABLES.] House in committee on the Customs' Duties Act. Upon the proposition that the duty on cables not being iron, tarred, or untarred, should be 6*s*. per cwt.

Mr. *Mitchell* proposed as an amendment that the duty be 8*s*. per cwt.

Mr. *Gladstone* objected to the amendment. He thought, that for an article of such general use in the navy, the protection should not be more than was absolutely necessary. He would therefore adhere to the duty of 6*s*., as proposed in the schedule.

The committee divided on the question that the blank be filled with "Six Shillings."—Ayes 163; Noes 35:—Majority 128.

List of the AYES.

Acland, Sir T. D.
Aldam, W.
Allix, J. P.
Bagge, W.
Baillie, Col.
Baillie, H. J.
Barnard, E. G.
Bateson, R.
Beckett, W.
Bernard, Visct.
Blackstone, W. S.
Bodkin, W. H.
Botfield, B.
Bowring, Dr.
Brotherton, J.
Brownrigg, J. S.
Bruce, Lord E.
Buckley, E.
Buller, E.
Bunbury, T.
Burrell, Sir C. M.
Chelsea, Visct.
Christie, W. D.
Chute, W. L. W.
Clerk, Sir G.
Clive, hon. R. H.
Codrington, C. W.
Colborne, hn.W.N.R.
Craig, W. G.
Cripps, W.
Damer, hon. Col.
Dawnay, hon. W. H.
Denison, E. B.
Dennistoun, J.
D'Israeli, B.
Divett, E.
Dodd, G.
Douglas, Sir C. E.
Douglas, J. D. S.
Duncan, Visct.
Duncan, G.
Duncombe, hon. A.
Egerton, W. T.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Ferguson, Col.
Fitzroy, hon. H.
Fleming, J. W.
Ffolliott, J.
Forbes, W.
Forster, M.
Fuller, A. E.
Gaskell, J. Milnes
Gibson, T. M.
Gladstone,rt.hn.W.E.
Gladstone, T.
Gordon, hon. Capt.
Gordon, Lord F.
Gore, M.
Gore, W. O.
Gore, hon. R.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Greenaway, C.
Grimston, Visct.
Hamilton, W. J.
Hampden, R.
Hardinge,rt. hn.SirH.
Hastie, A.
Hay, Sir A. L.
Hepburn, Sir T. B.
Hindley, C.
Hogg, J. W.
Houldsworth, T.
Holmes, hn. W. A'C.
Hope, hon. C.
Howard, Lord
Howard, hon. H.
Howick, Visct.
Hughes, W. B.
Hume, J.
Hussey, T.
Hutt, W.
Irving, J.
James, W.
Jermyn, Earl
Jolliffe, Sir W. G. H.
Jones, Capt.
Knatchbull,rt.hn.SirE.
Labouchere,rt. hon.H.
Lambton, H.
Layard, Capt.
Lefroy, A.
Lemon, Sir C.
Liddell, hon. H. T.
Lindsay, H. H.
Litton, E.
Lockhart, W.
Lopes, Sir R.
M'Geachy, F. A.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
M'Taggart, Sir J.
Mainwaring, T.
Manners, Lord C. S.
Marsham, Visct.
Martin, J.
Marton, G.
Maule, rt. hon. F.
Miles, P. W. S.
Milnes, R. M.
Mitcalfe, H.
Morgan, O.

Morris, D.
Morrison, J.
Mundy, E. M.
Norreys, Sir D. J.
Ogle, S. C. H.
Ord, W.
Pakington, J. S.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Philips, M.
Pigot, Sir R.
Plumridge, Capt.
Polhill, F.
Powell, Col.
Praed, W. T.
Pringle, A.
Protheroe, E.
Rashleigh, W.
Reid, Sir J. R.
Richards, R.
Round, C. G.
Scholefield, J.
Scott, hon. F.
Shaw, rt. hon. F.
Sheppard, T.
Smythe, hon. G.
Somerset, Lord G.
Somerville, Sir W. M.
Stanley, E.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, H.
Strutt, E.
Sutton, hon. H. M.
Thesiger, F.
Thornhill, G.
Towneley, J.
Turnor, C.
Vere, Sir C. B.
Vernon, G. H.
Waddington, H. S.
Wall, C. B.
Whitmore, T. C.
Winnington, Sir T. E.
Wood, Col. T.

TELLERS.

Baring, H.
Fremantle, Sir T.

List of the NOES.

Bankes, G.
Barclay, D.
Busfeild, W.
Byng, G.
Cochrane, A.
Douglas, Sir H.
Duncombe, hon. O.
Ebrington, Visct.
Gill, T.
Grosvenor, Lord R.
Halford, H.
Hanmer, Sir J.
Hawes, B.
Henley, J. W.
Hinde, J. H.
Hodgson, R.
Ingestre, Visct.
James, Sir W. C.
Johnstone, Sir J.
Manners, Lord J.
Masterman, J.
O'Brien, W. S.
Packe, C. W.
Paget, Col.
Palmer, G.
Philips, G. R.
Pryse, P.
Rumbold, C. E.
Russell, Lord J.
Sandon, Visct.
Tufnell, H.
Wawn, J. T.
Wilshere, W.
Wood, B.
Worsley, Lord

TELLERS.

Chapman, A.
Mitchell, T. A.

Blank filled with Six Shillings.

Upon the question that the importation of unhewn Stones from foreign countries be free,

Mr. *G. Bankes* rose to move his amendment, that upon stones not particularly enumerated or described, nor otherwise charged with duty, the present rates of duty should be maintained. This he did on behalf of the persons employed in the trade, and particularly in the working of Portland stone, whose subsistence depended entirely upon their occupation of that branch of industry. His proposition would not restrict any of the comforts of the poor generally, because it was unnecessary for him to say, that their habitations were not built of this expensive material. None of the raw material of foreign stone came into our market. It was all wrought to a certain extent, and therefore the question was one between English and foreign labour. While the price of Portland stone at the port of shipment was 16*s.* per ton, 11*s.* per ton of that money was the proportion absorbed in labour, and the committee might judge how much mischief must be done by displacing this amount of labour, and admitting at a still greater advantage, French stone, which already, even with the duty, undersold our own article. The population of the Isle of Portland amounted to nearly 3,000, all of whom, with very few exceptions, depended entirely upon this article. He had moved for a return of last year's duty upon foreign stone, but had not been able to obtain it, and was therefore obliged to form his conclusions from the only data which were accessible to him; and judging thus, he was led to believe, that the importation of foreign stone was increasing, because he was informed that some of the churches of most recent erection, and amongst them those of Camberwell and Andover, were contracted for in foreign stone. It was true, and he was happy to say it, that that great national work, the Royal Exchange, was contracted for in Portland stone, because the citizens of London, justly proud of their national edifices, disregarded the question of comparative expense; but others would prefer the inferior article if it were only cheaper. And there was no doubt that the foreign stone was inferior, not only to the Portland stone, but also to the stone in many parts of Yorkshire, and particularly that beautiful description of which the two Houses of Parliament were being built. He did not wish his proposition to apply to limestone, or any other description of stone than that used for building; and he hoped the article would be omitted from the tariff, or, at all events, that the Government would take time to reconsider the item.

Mr. *Christie* was persuaded, from inquiries which had been instituted, that the proposed alteration in the stone duties would not only benefit the public, but would also be of advantage to the labouring classes in Portland. An advance to free-trade principles would tend to make the labouring classes less dependent than they were upon the quarry-owners. At present the state of these classes was by no means satisfactory. The truck system prevailed to a great extent. The workmen were only paid their wages once in six months, sometimes only once in the year, and, in the meantime, they were supplied, but at a high rate, with necessary articles by agents of the quarry-masters, who, when the wages were paid, deducted the value of the necessaries furnished from the amount. He would wish to read to the committee some statements he had received upon the subject from various parties in Dorsetshire and Portland. The first was from a merchant in Portland: it stated :—

"In this island there is a population of 2,800 persons entirely dependent on the stone trade, and subject to the injurious operation of the truck system. The quarry-men are paid every six months, and sometimes it is twelve months before they have a settlement with their masters, who all that time supply them with bread or flour at a higher price than they could get the same quality for, if paid weekly or monthly. Indeed, it may be said to be usually nine months from the time of commencing their work till a settlement is made by the masters....The price of best flour delivered here (in Portland) is stated to me, by a miller at Weymouth, at 48*s*. I believe for cash I could get it 1*s*. or 2*s*. less. The price the men are charged is 60*s*. a sack of 280 lbs.; some masters charge it less. The 4-lb. loaf here is 9*d*.; at Weymouth good bread may be bought at 7½*d*. the 4-lb. loaf. When the men are paid, the party who has supplied them with bread and flour sits at the pay-table and receives his money."

Another gentlemen, resident in Weymouth, stated as follows :—

"The alteration proposed in the new tariff would do more to help Portland, and the public generally, than anything else that can occur. The duty can be well taken off, and the public would then be relieved from a train of exactions and impositions which are disgraceful. There are two or three merchants in London who hold largely, and the rule of the place is, that the payment of wages only takes place once in six months; consequently, the workmen, during the interval, are compelled to have of the different agents things in kind, as they call it—flour, bread, butter, &c., of which an account is kept against them, charging them, of course, the highest possible price, and at the end of the half-year all this is set out against their wages. The men, on the other hand, in consequence of this, are quite reckless, and will have holidays when they like, and every now and then strike for wages. It was only last summer they struck, and there was scarcely a stone shipped from the quarries for six months; the men in the meantime working in the Crown and common lands, and making stone and selling it, cutting the quarry-holders up, until the latter were glad to accede to their terms, which, by the bye, were most rascally; but yet, with the prices they get, and in the way they pay, the gentlemen could well afford to give them."

He wished that the hon. Member for Knaresborough was in his place to hear these statements of the truck-system as it existed, not among corn-law agitators, but in a county a stronghold of Conservatism. He trusted that attention might be paid to the subject of wages in this island by the hon. Member's committee, or rather he would appeal to the noble Lord opposite (Lord Ashley), whose philanthropy no party feelings could ever pervert. A large portion of the Portland quarries were Crown property. He understood that the noble Lord opposite (Lord Lincoln) had, with a view to the approaching expiry of the Crown leases, sent the Crown surveyor down to Portland, and procured a new valuation, in consequence of which he had raised the rent very considerably; and he understood that the present Crown lessees had undertaken to renew the leases on the higher terms, while they were stating in petitions presented by the hon. Member for Dorsetshire, that the effect of the change in the tariff would be to compel the present owners and lessees of quarries to abandon the working of them. The noble Lord or the right hon. Gentleman would correct him if he was wrong, and would, he had no doubt, have the goodness to confirm him in this statement if it were correct. These were the reasons why he cordially supported the proposal in the tariff, which would confer a benefit on the public, do no injustice to the quarry proprietors, and open out a great prospect of good to the labourer in the Portland quarries.

Lord *Ashley* was astounded at the communication which had just been made as to the extent to which the truck system was carried in Portland. The subject should have his consideration.

Mr. *Gladstone* said, the proposed alterations in the tariff were not made with a view to local but general circumstances. They proposed to place upon stone in block a duty of 2*s*. per ton, which would amount to an *ad valorem* duty of about 10 per cent. The hon. Gentleman wished to have a greater amount of protection than the interested parties themselves required. They did not wish the present rate, which imposed an *ad valorem* duty of 20 per cent. to be maintained. He proposed one of 10 per cent., and he would certainly oppose the motion of the hon. Member.

Mr. *Hume* thought, that the matter was more a question of proprietors than of workmen. He was sorry to hear a duty of 2*s.* proposed, as he understood that the originally-intended duty had been only 1*s.* per ton.

Captain *Pechell* said, that his constituents would be best contented by the imposition of no duty at all. He trusted that the right hon. Gentleman the Vice-President of the Board of Trade would not make any concession to the proposition before the House.

Mr. *Gladstone* said, that the point was not whether a concession should be made, or whether a point should be established; their proposal was, that rough stone should be admitted free, stone in blocks should pay a duty of 2*s.* per ton, and hewn stone a duty of 10*s.* per ton.

Amendment withdrawn.

Schedule agreed to.

On the question that the duty on foreign Coffee be 8*d.* a pound,

Viscount *Howick* rose for the purpose of proposing that this duty should be reduced to 7*d.* The grounds on which he felt justified in resisting the proposed rate of duty, he would very shortly submit to the House. The right hon. Baronet, in the speech in which he introduced this tariff, calculated the loss to the revenue from his proposal at 170,000*l.* Now, he thought the House must admit that that was an amount of revenue which ought not to be sacrificed unless for the purpose of effecting a satisfactory arrangement of those duties. If we were not to place these duties on a basis advantageous to the great body of consumers, he thought it better to leave them as they at present stood; particularly when it was remembered that the right hon. Baronet refused to repeal the duty on cotton wool, which, unfettered, must give such ample scope to employment, and when it was intended to call upon the House to impose a new duty on coals. The House was aware that the consumption of coffee had of late years very greatly increased. The whole supply of British possessions was altogether insufficient to meet the demands of the consumers, and the consequence was, that foreign coffee, at the higher rate of duty, entered largely into the home consumption. That being the case, it was perfectly obvious, that the price of foreign coffee, at the higher duty, was that which regulated the price of British coffee, and the difference between the duty levied on British and foreign coffee was a bounty levied on the British consumer for the advantage of the colonial grower. That such was the effect of this tax, he believed that no Gentleman, acquainted with our system of taxation, would be prepared to deny. He was one of those who were persuaded that all those systems of bounty and protection were erroneous; but, while he argued that such was the case, he also admitted, that the practice of a long series of years ought not to be suddenly swept away. He did not ask the committee to take away the protection which colonial coffee had hitherto enjoyed: he did not say that considerable protection ought not to be given to the producers of that coffee: but what he maintained was, that the amount of protection proposed by her Majesty's Government, was calculated on an erroneous principle, if it was not altogether prejudicial to the interest of the producer. The Government proposed that the coffee of the British colonies should be admitted at 4*d.* a lb., which, with the other expenses, would raise the price to 39*s.* 2*d.* the cwt. Foreign coffee was to be admitted at 8*d.* the lb.; and adding in the same manner 5 per cent., the price would be 78*s.* 4*d.* the cwt. Now, what was the real value of the articles on which these duties were imposed? He had in his hand a statement, by which it was calculated that colonial coffee of the new growth was to be sold at 112*s.* to 117*s.* the cwt., while Cuba coffee, of an exactly similar description, was selling in bond at 78*s.* and 82*s.* the cwt.; the difference in price being a charge on the British public. That was to say, that the superior kind of coffee, the produce of foreign countries, came into consumption at 100 per cent. duty on the full value, and had a differential duty to sustain of 50 per cent. He thought that such an amount of duty was extravagant; but when they came to an inferior description of coffee (that which entered materially into the consumption of the working classes) the case was far worse. A constituent of his purchased in bond St. Domingo coffee at 34*s.* the cwt., while British coffee of a not better description fetched from 68*s.* to 70*s.* the cwt. Now on this coffee, worth in bond 34*s.* the cwt., a duty was proposed of 74*s.* 8*d.* That was a duty of 230 per cent. on the full value of the article, and a differential duty given as a bonus by the consumers of this inferior article to the British colonies of 115 per cent. He thought if the House considered for a moment what were the principles on which this tariff was recommended, they must conclude that such a scale of duties was altogether inconsistent with those principles, for that very evening he heard the right hon. Vice-President of the Board of Trade assert, that 20 per cent., except in some special cases, was a fair duty on manufactured articles. And on this, which was not a manufactured article, but a raw produce, entering largely into the consumption of the poor, the proposal was not to tax it at 20 per cent., but 115 per cent. as against British coffee, and 230 per cent. on the full value of the article. This was certainly a proposition which it was impossible to maintain in argument. It was impossible that the reduction of duty could be resisted on the same grounds as those taken up against the change in the sugar duties brought forward at his side of the House; for apart from the fact, that a considerable proportion of coffee came from the eastern hemisphere, where slavery did not extensively exist, there was no country from which we might expect a greater produce, as the consequence of a moderate duty, than Hayti, with which it was obvious we might carry on a much more flourishing commerce if our present system were abandoned. It could not be said, that it was the interest of the colonies to have these duties kept up. Did any Gentleman seriously conceive, that the present enormous duty could be permanently maintained? He must further argue, that the amount of protection now proposed in the tariff was larger than that hitherto enjoyed. It was perfectly true, that Hayti and Brazil coffee had been subjected to a heavier duty than that now submitted; but it was notorious, that the Brazilian coffee at 9*d.* duty, was allowed to come in from the Cape of Good Hope as British coffee. The real protection was, therefore, the difference between 9*d.* and 6*d.*, together with the expenses of the voyage to the Cape of Good Hope, whatever they might be. Now, he was perfectly ready to admit, that the gentlemen engaged in this trade were not always of the same opinion as to the expenses of this voyage; and he was quite prepared to hear his noble Friend, the Member for Liverpool, representing the views of his constituents, give a much higher charge than that which he was about to contend for. But it appeared by the evidence taken before the Import Duties' Committee, that the expenses of the coffee of Brazil and Hayti going to the Cape of Good Hope, did not exceed ¼*d.* a lb. The present protection to British coffee was, therefore, 3¾*d.* and not 4*d.*; the amount of protection given by the duties of 4*d.* and 8*d.* The Ministers were, therefore, increasing a protection which at present was of an enormous amount. If it was supposed, that the colonies could not grow coffee without this enormous protection, the best policy was to wean them from the fallacy by degrees; for it was impossible to suppose, that our people would go on paying three times the price which the article ought really to fetch, for the purpose of maintaining our colonial interests. But if it was believed, that the colonies could grow such an article at a much smaller protection, it was obviously the interest of the colonies to bring down the price as low as possible. He thought if an unnatural stimulus were given to coffee, the produce in the course of a few years, under the present system, would exceed the consumption, and a depression naturally follow. As in many other cases, the artificial raising of the price far above the natural level, must in the end produce a great disadvantage to those who enjoyed the undue advantage. He next wished to know whether his motion could be resisted on the ground of revenue. He could scarcely believe, that the reduction of 1*d.* per lb. on foreign coffee would be resisted on the supposition that it must largely injure the revenue. As he had already stated, the foreign coffee regulated the price of the home produce, and, therefore, if 1*d.* per lb. were taken off, the consumer would derive an advantage, not only on the colonial, but on all the coffee that came into the market. The total amount of coffee consumed was 28,420,000 lbs. The reduction of 1*d.* per lb. would be a relief to the consumer of 118,000*l.* The loss to the revenue would not be proportioned to the gain of the consumer, and was only to be calculated on the smaller quantity of coffee introduced from foreign countries. Of the 28,420,000 lbs. of coffee, only 10,849,000 lbs. was the production of foreign countries. The loss on the latter quantity was 45,000*l.*, while the consumer gained 118,000*l.* But he was persuaded that the revenue would suffer no loss whatever, because he was sure that the reduction of the duty would lead to a large increase of the consumption—to an increase which it might be safely calculated would cover the loss of 45,000*l.* He relied on the correctness of this calculation with the more confidence, because he believed that adulteration was at present carried on to an enormous extent, and of the 30,000,000lbs. consumed in the year, it was stated in a circular printed by the coffee growers, that 15,000,000lbs. were mixed with chickory, and such substances. Under these circumstances, his own opinion was, that it would be best to reduce the duty to 6*d.* on foreign, and 3*d.* on colonial coffee; but as he knew such a proposal would be met by the allegation that a great loss to the revenue must ensue, he thought it better to confine his amendment to the proposition that foreign coffee should be admitted at 7*d.* instead of 8*d.* the lb.

Mr. *Gladstone* contended, that the general principle of the tariff could not be applied to the produce of tropical climates. He admitted that he did not resist this motion on the ground of loss to the revenue, though he must contend that the present duty was not an increase of protection. It was certainly true that the price of West-Indian coffee had increased since the promulgation of the tariff, but that increase was only of a temporary character. He acknowledged that the real guide in reducing the duty should not be the proportion of colonial to foreign protection, but the value of the article itself. He could only say that this was one of those articles, the reduction of duty on which affected materially our connection with foreign powers. He believed that our negotiations with the Brazils might be made to turn in a great measure on the admission of their coffee. Though he confessed the noble Lord had a strong ground for claiming the surrender of this duty at once, still he thought it was better to postpone the legislation until the measures proposed to be taken as to the admission of articles of British manufactures into other states were disposed of.

Mr. *Hume* was glad to perceive that the resistance to this motion was one merely of time. It was of the highest importance, in a moral and social point of view, to encourage the consumption of coffee instead of spirits. He would vote for the noble Lord's proposition, and only regretted that it had not been carried further.

Sir *R. Peel* must admit, that the labour of slaves in the production of coffee was not so severe as that applied to the cultivation of sugar, and therefore he must forego the full advantage of the argument founded upon the considerations involved in the question of slavery. Like his right hon. Friend, he rested his opposition to the noble Lord's motion chiefly on the ground of the impropriety of throwing away the influence which the Government possessed over foreign powers, by retaining the duties until they saw a prospect of obtaining a reciprocal advantage by their reduction. It was the principle of philosophers that we should buy at the cheapest markets; but, unfortunately, we were not dealing with philosophers, and if we reduced duties without obtaining an equivalent, we should only remove a pressure from foreign governments, of which they would not be slow to avail themselves. At the present moment France contemplated an advance of duty on linen yarn. He ventured to predict, that if that proposition should be carried into effect, the nascent linen manufactures of France would be entirely ruined, and he had not the slightest doubt that his prediction would be fulfilled. He fully admitted the great importance of offering cheap and wholesome beverage to the people, with a view to induce them to substitute it for spirits, and he regretted on that account that he could not at the present moment consent to a greater reduction of the duty on coffee. The duties on coffee entered at present into our negotiations with foreign states, and he believed that if the committee should agree to the noble Lord's motion, they would throw away a great practical advantage.

Mr. *Hawes* thought that the Government were pursuing an unwise course in leaving so many duties unsettled. The coffee duties were now added to the list of several other duties which it was admitted would not be permanently maintained. This was a course of proceeding which subjected commercial transactions to great uncertainty. A considerable portion of the coffee at present consumed in this country was adulterated, but if the duty were reduced the adulterated article would be driven from the market, and in the end the revenue would be increased. He was informed, on good authority, that the price of Jamaica coffee was not likely to fall, and that the whole of the difference between the existing duties and those proposed by the Government would go into the pockets of the growers of colonial coffee.

Dr. *Bowring* wished the British Government to set the world an example of sound commercial policy, instead of pursuing a system of bargaining with foreign states respecting the reduction of duties. Nothing was more desirable than to create a greater demand for French produce in this country.

Mr. *F. Baring* could have understood the objection raised by the right hon. Baronet relative to the coffee duties being the subject of negotiation with foreign countries if they had not touched them at all; but they had themselves proposed a reduction. What great harm, then, could arise from carrying the reduction further.

Mr. *Villiers* would vote for the noble Lord's proposition. If it should be found necessary to influence foreign powers, the Government could effect their object just as well by threatening to raise the duty again.

Viscount *Howick* said, it was some satisfaction to know that from what had passed, the present enormous differential duties would not be permanently maintained. Still, as he thought that the arguments advanced in opposition to his motion were not valid, he would divide the committee upon the question.

The committee divided on the question that the blank be filled with 7*d.*:—Ayes 48; Noes 81: Majority 33.

List of the AYES.

Ainsworth P.
Aldam, W.
Barclay, D.
Baring, rt. hon. F. T.
Barnard, E. G.
Blake, M. J.
Bowring, Dr.
Brocklehurst, J.
Brotherton, J.
Browne, hon. W.
Buller, E.
Busfeild, W.
Cobden, R.
Colebrooke, Sir T. E.
Duncan, G.
Forster, M.
Gibson, T. M.
Granger, T. C.
Greenaway, C.
Grey, rt. hn. Sir G.
Howick, Visct.
Johnstone, A.
Leader, J. T.
Mangles, R. D.
Marsland, H.
Maule, rt. hon. F.
Mitcalfe, H.
Morris, D.
Morison, Gen.
O'Brien, W. S.
O'Connell, D.
O'Connell, J.
Pechell, Capt.
Pendarves, E. W. W.
Philips, M.
Rundle, J.
Scholefield, J.
Scott, R.
Somerville, Sir W. M.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Strutt, E.
Thornely, T.
Villiers, hon. C. P.
Wawn, J. T.
Wood, B.
Wood, C.

TELLERS.

Hawes, B.
Hume, J.

List of the NOES.

Antrobus, E.
Arbuthnott, hn. H.
Arkwright, G.
Baillie, Col.
Baring, hon. W. B.
Bateson, R.
Botfield B.
Bramston, T. W.
Burrell, Sir C. M.
Chapman, A.
Chelsea, Visct.
Chetwode, Sir J.
Clerk, Sir G.
Clive, hn. R. H.
Cockburn, rt.hn.Sir G.
Collett, W. R.
Coote, Sir C. H.
Cripps, W.
Darby, G.
Douglas, Sir H.
Duffield, T.
Eliot, Lord
Escott, B.
Forbes, M.
Gaskell, J. Milnes
Gladstone, rt.hn.W.E.
Godson, R.
Gordon, hon. Capt.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Grant, Sir A. C.
Grogan, E.
Halford, H.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt.hn.Sir H.
Henley, J. W.
Hepburn, Sir T. B.
Hillsborough, Earl of
Hodgson, R.
Hope, hon. C.
Hussey, T.
Inglis, Sir R. H.
James, Sir W. C.
Kemble, H.
Knatchbull, rt.hn.Sir E.
Knight, H. G.
Lambton, H.
Legh G. C.
Lindsay, H. H.
Litton, E.
Lockhart, W.
Lyall, G.
Mackenzie, T.
Mainwaring, T.
Martin, C. W.
Masterman, J.
Mundy, E. M.
Neville, R.
Nicholl, rt. hon. J.
Northland, Visct.
Palmer, G.
Patten, J. W.
Peel, rt. hn. Sir R.
Polhill, F.
Rose, rt. hn. Sir G.
Round, C. G.
Rushbrooke, Col.
Ryder, hon. G. D.
Sandon, Visct.
Sheppard, T.
Stanley, Lord
Stewart, J.
Sutton, hon. H. M.
Trench, Sir F. W.
Vere, Sir C. B.
Vivian, J.
Wilbraham, hn. R.
Young, J.

TELLERS.

Fremantle, Sir T.
Pringle, A.

Blank filled with 8*d.*

Viscount *Sandon* called the attention of the House to the injustice of the proposed modification of duties to the holders of naturalised coffee in bond. They had imported their present stock on the faith of a law which had given them an advantage over the importers of foreign coffee. He moved to insert in the schedule, that coffee imported from any British possession within the limits of the East India Company's charter, not being the produce thereof, being now in bond to arrive before the first day of August next, should be admitted at a duty of 7*d.* per lb.

Mr. *Gladstone* was somewhat taken by surprise, his noble Friend having altered his motion in a very essential manner. Even for the modified proposition, however, his noble Friend had made out no case. The holders of this description of coffee had placed themselves in their present position by an excess of speculation, and by taking advantage of a law not originally intended for their benefit.

Viscount *Howick* supported the modified proposition of the noble Lord, and thought the case made out was particularly strong as related to coffee actually in bond, which must have been imported before the change in the duty could have been anticipated.

Mr. *Hume* said, that the consumer had benefitted by the speculation, although it had been undertaken by private individuals for their own benefit, but he doubted whether the principle ought to be carried out beyond the coffee already in bond.

Mr. *Baring* could not understand the distinction that had been endeavoured to be drawn in this case, nor what was the difference in the expense that had been incurred by those parties to that incurred by any other persons under a protective duty. The parties had had two years' notice of the intention of Government to alter the duties.

Sir *R. Peel*, after stating that it was not on account of his opposition that the bill of the former Government was not proceeded with, said that the parties interested had had two years' notice that the alteration of these duties was under the consideration of Parliament. In the present case, advantage had been taken of the lax manner in which an act of Parliament had been framed, and he saw no ground for making a distinction. He had felt throughout that it would have been impossible to carry this tariff through the House with that general assent which it had received, had there not been a general impression that the Government were disposed to act with equity towards all the interests concerned. The Government had already affected the interests of the stone quarries without notice. Then on timber no drawback had been given, although the claim of the parties interested was a legitimate one, and the new duties were to come into operation on the 25th of October, which was only three months' notice. The holders of this coffee ought to be dealt with as all the other parties had been, and on the same general principle. He felt it his duty to adhere to the proposition as originally made, for he did not feel satisfied that in this case any just ground had been made out for exception.

Mr. *Kemble* regretted, that the Government had opposed the modified proposition of the noble Lord, and contended, that the public had derived benefit from the speculation of the coffee holders.

Viscount *Sandon*, under the circumstances, felt compelled to divide.

The committee divided, on the question that the words be added to the Schedule. —Ayes 69; Noes 133:—Majority 64.

List of the AYES.

Ainsworth, P.
Aldam, W.
Barclay, D.
Blake, M. J.
Bowring, Dr.
Bramston, T. W.
Brocklehurst, J.
Brotherton, J.
Browne, hon. W.
Busfeild, W.
Byng, G.
Carew, hon. R. S.
Cobden, R.
Crawford, W. S.
Divett, E.
Douglas, Sir H.
Duncan, G.
Duncombe, T.
Ebrington, Visct.
Evans, W.
Farnham, E. B.
Ferguson, Col.
Forbes, W.
Forster, M.
Gibson, T. M.
Granger, T. C.
Grimsditch, T.
Halford, H.
Hay, Sir A. L.
Henley, J. W.
Hindley, C.
Howick, Visct.
Hughes, W. B.
Hume, J.
James, W.
Johnston, A.
Kemble, H.
Leader, J. T.
Lyall, G.
Mangles, R. D.
Marsland, H.
Masterman, J.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Morison, Gen.
O'Brien, C.
O'Connell, D.
O'Connell, J.
Ord, W.
Palmer, G.
Patten, J. W.
Pechell, Capt.
Pendarves, E. W. W.
Russell, Lord J.
Scholefield, J.
Stanton, W. H.
Strutt, E.
Thornley, T.
Tufnell, H.
Villiers, hon. C.
Walker, R.
Wallace, R.
Wawn, J. T.
Wilbraham, hon. R.B.
Williams, W.
Wilshere, W.
Wood, B.
Worsley, Lord

TELLERS.

Sandon, Visct.
Philips, M.

List of the NOES.

Allix, J. P
Antrobus, E.

Arbuthnott, hon. H.
Archdall, Capt.
Arkwright, G.
Bailey, J.
Baillie, Col.
Bankes, G.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Baskerville, T. B. M.
Bateson, R.
Bell, M.
Blackburne, J. I.
Boldero, H. G.
Botfield, B.
Broadley, H.
Bruce, Lord E.
Buller, E.
Buller, Sir J. Y.
Burrell, Sir C. M.
Chelsea, Visct.
Chetwode, Sir J.
Christopher, R. A.
Clayton, R. R.
Clerk, Sir G.
Clive, hn. R. H.
Cockburn, rt. hn. Sir G.
Collett, W. R.
Copeland, Ald.
Corry, rt. hon. H.
Cresswell, B.
Cripps, W.
Currie, R.
Damer, hon. Col.
Darby, G.
D'Israeli, B.
Douglas, Sir C. E.
Douglas, J. D. S.
Duffield, T.
Duncombe, hon. A.
East, J. B.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Esmonde, Sir T.
Ferguson, Sir R. A.
Filmer, Sir E.
Fleming, J. W.
Fuller, A. E.
Gaskell, J. M.
Gladstone, rt. hn. W. E.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gore, hon. R.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Grant, Sir A. C.
Gregory, W. H.
Grogan, E.
Hardinge, rt. hn. Sir H.
Hastie, A.
Hawes, B.
Hepburn, Sir T. B.
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Holmes, hon. W. A'Ct.
Hope, hon. C.
Hornby, J.
Howard, Lord
Howard, P. H.
Hussey, T.
Irton, S.
Johnstone, H.
Jones, Capt.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Knight, F. W.
Lambton, H.
Langston, J. H.
Legh, G. C.
Lincoln, Earl of
Lindsay, H. H.
Litton, E.
Lockhart, W.
M'Geachy, F. A.
Mackenzie, T.
Marsham, Visct.
Martin, C. W.
Meynell, Capt.
Morgan, O.
Mundy, E. M.
Neville, R.
Newry, Visct.
Nicholl, rt. hon. J.
Northland, Visct.
O'Brien, W. S.
O'Ferrall, R. M.
Ogle, S. C. H.
Peel, rt. hon. Sir R.
Peel, J.
Philips, G. R.
Polhill, F.
Pusey, P.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Rundle, J.
Rushbrooke, Col.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Scott, hon. F.
Seymour, Sir H. B.
Sheppard T.
Somerset, Lord G.
Somerville, Sir W. M.
Stanley, Lord
Stewart, J.
Stuart, H.
Sutton, hon. H. M.
Thesiger, F.
Trench, Sir F. W.
Turnor, C.
Vere, Sir C. B.
Vivian, J. E.
White, H.
Young, J.

TELLERS.

Fremantle, Sir T.
Pringle, A.

Duty on coffee agreed to.

On the question that the duty on Tea be 2*s.* 1*d.* a lb.

Mr. *Lindsay* urged the propriety and advantage of a reduction of the duty on an article so rapidly increasing in consumption.

Sir *R. Peel*, looking at the present position of affairs with China, and at the amount of revenue derived from tea, felt a reluctance to give any assurance on the part of the Government in respect to a reduction of the duty.

Mr. *Mangles* asked, why the Government did not propose to introduce a differential duty in favour of tea grown in British India?

Sir *R. Peel* was unwilling to adopt any step which would hazard the revenue derived from tea, and had some doubt as to the policy of encouraging the growth of Assam tea.

Resolution agreed to.

On the question that a duty of 16*s.* the cwt. be levied upon Corks squared for rounding,

Mr. *T. Duncombe* proposed to reduce the duty upon cork imported in this state to 1*s.* per cwt.

The committee divided on the question that the blank be filled with 1*s.*—Ayes 81; Noes 137:—Majority 56.

List of the Ayes.

Aldam, W.
Barclay, D.
Baring, rt. hon. F. T.
Berkeley, hon. C.
Blackstone, W. S.
Blake, Sir V.
Bowring, Dr.
Broadley, H.
Brotherton, J.
Browne, hon. W.
Chapman, B.
Christie, W. D.
Clayton, R. R.
Colborne, hn. W. N. R.
Colebrooke, Sir T. E.
Colville, C. R.
Currie, R.
Curteis, H. B.
Drax, J. S. W. S. E.
Ebrington, Visct.
Ellis, W.
Evans, W.
Farnham, E. B.
Ferguson, Col.
Forster, M.
Gill, T.
Gordon, Lord F.
Gore, W. O.
Gore, hon. R.
Granger, T. C.
Grogan, E.
Halford, H.
Hanmer, Sir J.
Hastie, A.
Hawes, B.
Heneage, E.
Henley, J. W.
Hinde, J. H.
Hindley, C.
Hodgson, R.
Hollond, R.
Howard, hon. E. G. G.
Hume, J.
Johnstone, Sir J.
Leader, J. T.
Lockhart, W.
Lowther, J. H.
Mangles, R. D.
Marsland, H.
Martin, J.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Murphy, F. S.
Norreys, Sir D. J.
O'Brien, W. S.

Ogle, S. C. H.
Paget, Lord A.
Palmer, R.
Pechell, Capt.
Pendarves, E. W. W.
Ponsonby, hn .C.F.C.
Pryse, P.
Redington, T. N.
Rundle, J.
Russell, Lord J.
Sandon, Visct.
Scholefield, J.
Somerville, Sir W. M.
Stanton, W. H.
Saunton, Sir G. T
Strutt, E.
Talbot, C. R. M.
Taylor, T. E.
Towneley, J.
Tufnell, H.
Wallace, R.
White, H.
Wilbraham, hon. R. B
Williams, W.
Worsley, Lord

TELLERS.

Duncombe, T.
Wood, B.

List of the NOES.

Acland, Sir T. D.
Adderley, C.
Ainsworth, P.
Allix, J. P.
Antrobus, E.
Archdall, Capt.
Bailey, J.
Baillie, Col.
Bankes, G.
Baring, hon. W. B.
Baskerville, T. B. M.
Bentinck, Lord G.
Beresford, Major
Bernard, Visct.
Blackburne, J. I.
Boldero, H. G.
Botfield, B.
Bramston, T. W.
Brocklehurst, J.
Brooke, Sir A. B.
Bruce, Lord E.
Buckley, E.
Buller, Sir J. Y.
Cardwell, E.
Chelsea, Visct.
Chetwode, Sir J.
Childers, J. W.
Christopher, R. A.
Clerk, Sir G.
Clive, hon. R. H.
Cochrane, A.
Cockburn, rt.hn.Sir G.
Copeland, Ald.
Corry, right hon. H.
Courtenay, Lord
Cripps, W.
Damer, hon. Col.
Darby, G.
Denison, E. B.
Divett, E.
Douglas, J. D. S.
Douglas, Sir C. E.
Duncombe, hon. A.
Duncombe, hon. O.
East, J. B.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Fellowes, E.
Ferguson, Sir R. A.
Filmer, Sir E.
Fleming, J. W.
Ffolliott, J.
Forbes, W.
Forester, hon.G. C.W.
Fuller, A. E.
Gaskell, J. M.
Gladstone, rt. hn. W. E.
Gladstone, T.
Glynne, Sir S. R.
Gordon, hon. Capt.
Gore, W. R. O.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Gregory, W. H.
Grimsditch, T.
Grimston, Visct.
Hamilton, W. J.
Hardinge, rt. hn. Sir H.
Hawkes, T.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hodgson, F.
Hornby, J.
Howard, P. H.
Hughes, W. B.
Hussey, T.
Hutt, W.
Ingestrie, Visct.
Irton, S.
Jermyn, Earl
Jones, Capt.
Knatchbull, rt.hn. Sir E.
Knight, F. W.
Legh, G. C.
Lemon, Sir C.
Lincoln, Earl of
Lindsay, H. H.
Litton, E.
Mackenzie, W. F.
M'Geachy, F. A.
Manners, Lord C. S.
Manners, Lord J.
Marsham, Visct.
Martin, C. W.
Meynell, Capt.
Miles, P. W. S.
Morgan, O.
Neeld, J.
Newry, Visct.
Nicholl, right hon. J.
Pakington, J. S.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Pringle, A.
Repton, G. W. J.
Rushbrooke, Col.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Scott, hon. F.
Seymour, Sir H. B.
Sheppard, T.
Shirley, E. J,
Somerset, Lord, G.
Stanley, Lord
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Taylor, J. A.
Thesiger, F.
Thompson, M. Ald.
Trench, Sir F. W.
Turnor, C.
Waddington, H. S.
Wawn, J. T.
Whitmore, T. C.
Young, J.

TELLERS.

Baring, H.
Fremantle, Sir T.

On the proposal that Straw hats or bonnets imported into this country should pay a duty of 8*s.* 6*d.* the lb.

Dr. *Bowring* thought, that they ought as much as possible to extend their commercial relations with Tuscany, and as he had reason to believe from statements made to him, that the proposed duty would amount to 35 per cent, he hoped the right hon. Baronet at the head of the Government would consent in this case to the application, on the principle which he had laid down of an *ad valorem* duty of 20 per cent. He begged, therefore, to propose that an *ad valorem* duty of 20 per cent be substituted instead of the proposed duty of 8*s.* 6*d.* per lb. on straw hats, and of 7*s.* 6*d.* on straw platting.

Mr. *Hume* seconded the motion.

Mr. *W. Gladstone* acknowledged, tha it was of great importance to encourage their commercial relations with Tuscany, but he did not think the Government of Tuscany would be dissatisfied with the change now proposed.

Amendment negatived.

The House resumed. Committee to sit again.

House adjourned.

HOUSE OF LORDS,

Tuesday, June 14, 1842.

MEMBERS.] BILLS. *Public.*—2ª· Witnesses Indemnity.
Reported.—Copyright.
Private.—1ª· Carlow Roads; Birmingham Free Grammar School Estate.
2ª· Calland's Estate (Higgen's); Forth Marine Insurance Company; Church Stretton and Longden Road.
Reported.—Ardrossan Harbour; Christopher (or Manner's) Estate; Gravesend Town Pier; Fleetwood Improvement; Medbourn Inclosure; City of Glasgow Life Assurance Company; Kington Roads; Cambuslang and Muirkirk Roads; Lough Foyle Drainage.

3ª. and passed:—Lincoln Roads; Ely Place Improvement; Camberwell and Peckham Lighting; Boston Harbour (No. 2); Brewood Free Grammar School.

PETITIONS PRESENTED. By the Earl of Clarendon, from Hammersmith, complaining of the conduct of the Commissioners of the Metropolis Roads who have discontinued the Lighting of the Parish.—By Lord Wynford, from Hexham Union, against certain parts of the Poor-law Amendment Bill.—From Hopton, Callow, Hulland Ward, and Sturston, Kniveton, Carsington, Bradbourn, Brassington, Bradley, and other places, in favour of a Poor-law upon the principle of Gilbert's Act.—By Lord Wharncliffe, from the Guardians of Bradford Union, for the Repeal of the Poor-law Amendment Bill; and from Attornies and Solicitors of the West Riding of York Law Society, for Exemption from the Payment of the Income-tax.—By Lord Denman, from the Northern Association of Baptists, from the Independants at Salford, and other places, for the substitution of Declarations in lieu of Oaths.—From Runcorn, for Extension of the Metropolitan Police Act.—By the Duke of Rutland, from Westow, Newton Harcourt, and Kilby, against any further Grant of Money for the support of Maynooth College.—By Lord Wharncliffe, from John Smith, against calling on parties to plead Not Guilty.

INCOME-TAX.] The Duke of *Wellington* moved that the House resolve itself into a committee on the Property-tax Bill.

The Earl of *Radnor* wished to be informed whether the debate on this bill would be taken on Friday.

The Duke of *Wellington:* According to the arrangement the debate would be taken on Friday.

Lord *Redesdale* suggested that it would be convenient that the resolutions which the noble Marquess (the Marquess of Lansdowne) intended to move should be laid on the Table.

Viscount *Duncannon* had no objection to lay the resolutions on the Table; they were as follow:—

"That while this House is unwilling to obstruct the progress of measures calculated to supply the present deficiencies of the public income, and make it fully adequate to meet the public charges, it cannot refrain from recording its opinion that a judicious alteration of the duties affecting corn, sugar, and timber, would have greatly diminished the amount of additional taxation required by the exigencies of the State, and would, at the same time, from its effect in increasing the comforts of all classes, and lessening the privations of the great body of the people, together with such additions as might have been obtained from some other sources, have been preferable to a tax on income in the present circumstances of the country."

Bill passed through committee, and was reported without amendment.

SPECIAL COMMISSION (TIPPERARY).] The Marquess of *Clanricarde* wished to put a question with respect to a special commission said to be about to be issued for the trial of prisoners at Tipperary. No one could more fully appreciate than he did, the importance of the speedy succession of punishment to crime, but this was a principle which was in some cases liable to abuse. In the present instance, the commission was to commence on the 21st of the present month, while the assizes for the county commenced on the 24th. This was the information which he had received, and if it was true, he must say that this commission did seem to merit the character of being a gross job. It was true that the circuit usually commenced at Wicklow, and it was some time before the judges reached Nenagh, where the next assizes were held, but there was no reason why the circuit should not be made to commence at the latter place. The expense of the commission, he was informed, would amount to 3,000*l.*, which would of course be divisable among the members of the legal profession, who, he understood, had great influence over the Government. He begged to ask whether the information with regard to the commencement of the special commission and of the assizes was true, and whether any estimate had been furnished to the Government of the expenses of the former?

The Duke of *Wellington* was not prepared to afford answers to the questions of the noble Marquess. He thought that the noble Marquess ought not to have brought forward the charge of jobbing by the Government without having previously afforded an opportunity to the Government to make inquiry into the subject.

The Earl of *Wicklow* thought, that the information of the noble Marquess could not be correct, because, if the special commission was to commence on the 21st, there would be no judges disengaged to go circuit on the 24th.

The Marquess of *Clanricarde* said, that if that were so, his observations of course fell to the ground. He had been told, however, that the two chief justices were to go on the special commission.

Lord *Fitzgerald* thought that the circumstance to which the noble Marquess had referred was perfectly capable of explanation, and that if he had given notice of the question which he had put, no difficulty would have arisen. The assizes, it appeared, commenced on the 24th instant, but in the ordinary course of things the court would not sit at Nenagh until the middle of August. This might be sufficient to account for the issuing of a special commission. He deprecated the use of the term "job," until its applicability was well ascertained.

Subject at an end.

Plea of Not Guilty.] Lord *Wharncliffe* presented a petition from Mr. John Smith, of Liverpool, against the rule which required prisoners to plead not guilty, and praying for the adoption of some mode of taking the plea, by which it should not be necessary for a prisoner to affirm that which in his conscience he believed to be untrue.

Lord *Denman* observed that the practice which formerly prevailed of judges persuading a prisoner not to plead guilty was wholly given up, but he confessed that he was much of the opinion of the petitioner, that for the purposes of trial it was sufficient to inform the prisoner of the charge, and then proceed to call the witnesses, first allowing him to confess his guilt if he should wish to do so.

Lord *Campbell* said, that the object of allowing a prisoner to plead guilty was to prevent the necessity of calling the evidence, and it would be sufficient for this purpose if they permitted the prisoner *ex mero motu* to say that he was guilty. The scandal arising from the judge persuading a prisoner to make a statement which was a falsehood no longer existed; but at the same time it would be a great improvement in the law if they did not require a prisoner, when on his trial, to plead not guilty.

Lord *Wynford* had often persuaded a prisoner who pleaded guilty to consider well whether he would plead guilty, and would, if on the bench, do so again. By the plea of not guilty, the prisoner did not deny his guilt, but he denied, even if guilty, that the law was applicable. Such an alteration as was now suggested was needless, and he believed that these continued alterations were doing a great deal of mischief.

The Bishop of *Chester* had often been struck with this as a disgrace on our jurisprudence, that this practice should have so long continued, and he had often wondered whether some such question as "Do you confess your guilt?" or "Do you wish to be tried by the laws of your country?" might not be substituted.

Petition laid on the Table.

Syria.] Lord *Howden* would ask, although his noble Friend the Secretary of State for Foreign Affairs was not in his place, whether the Government had received any official report of the recent events in Syria, and whether they confirmed the accounts he had himself received, that that unfortunate country was rapidly retrograding to a state of anarchy? He thought that the policy we had pursued in the East, and especially towards Syria during the last three years, was wholly in error. It was now as difficult for an European to proceed from Beyrout to Damascus, as to travel in the interior of Africa.

The Duke of *Wellington* rose to order. He would ask, whether it was right for the noble Lord to make a speech when it was not his intention to make a motion, and had given no notice what he meant to comment upon the conduct of the Members of Government. Such a course was not consistent with the rules of the House, and his noble Friend would forgive him for calling him to Order.

The Earl of *Haddington* said, in the absence of the noble Lord the Secretary for Foreign Affairs, did not think it likely that such a question would have been asked of him. He did not possess such information as would entitle him to give an answer to the question. If the noble Lord required any information with respect to the affairs of the East, and would give notice, his noble Friend the Secretary for Foreign Affairs would attend in his place. In the office which he held he had seen letters from officers on that station, but the best information was in the Foreign Office.

Indemnity of Witnesses.] Lord *Brougham* rose to move the second reading of the Witnesses' Indemnity Bill, which had been sent up from the Commons. He should state the reasons why, notwithstanding what had happened in the other House, he still considered it right that their Lordships should adopt this measure. About four weeks ago a bill had been sent down from this House to enable committees of both Houses to institute inquiries effectually into practices of a corrupt nature at elections for Members of Parliament. That these inquiries ought to be confined to committees of the other House of Parliament he utterly denied. All inquiries relating to titles to seats in the other House—all inquiries connected with the privileges of the other House must be confined to that House; their Lordships had nothing whatever to do with them. No person in this House ever dreamed of interfering with the power of the other House with respect to any investigation either regarding the punishment of offences against the privileges of that House, or with a view to affect the right of any Member of that House to the seat to which he had been elected by his constituents. But an inquiry might be contemplated, and it was clear such an inquiry had been contemplated by the other House itself, of a prospective nature with a view to legislation, to amend, if it were thought expedient, a most important part of the criminal law of this country; and he hoped he had not lived to see the day when this House, being a co-ordinate branch of the Legislature, and the highest judicial tribunal in the realm, might not introduce any legislative measure it thought fit in order to amend any branch of the criminal law, which should not trench directly or indirectly on the privileges of the other House in respect to the election of Members of the other House. Bribery was an offence of a very comprehensive operation, with reference to the election of Members of Parliament; but it was not a matter exclusively connected with the functions of the other House; bribery connected with the election of Members of the other House was a matter within the cognizance of their Lordships in their legislative capacity, as well as other offences. It was, therefore, with some astonishment he had heard an objection made to their Lordships instituting such an inquiry specifically and exclusively with relation to a subsequent measure of a legislative kind. He had heard it said, that it was not for this House to undertake the amendment of the law in respect of bribery; that that was the peculiar province of the other House. He supposed, that if they attempted to amend the law in respect to larceny, or assault and battery, or conspiracy, or murder itself, they should be told "No; if you will legislate on such matters, do so; but see that you do not take up any matter connected with the election of Members of Parliament; see that you except all riots connected with elections; all larceny connected with elections; all assaults and conspiracies and murders connected with elections, for with them you have no business, except to assent to bills sent up from us." This was so utterly ridiculous that he ought to apologise to their Lordships for mentioning it. He held it to be clearly within the competency of their Lordships, and their duty to enter into such investigations previous to their undertaking to amend the law of this country connected with bribery at elections. Accordingly, last summer, roused by the universal cry throughout the country with regard to what had taken place at the last election, to the enormities which had prevailed there—enormities of a nature not only to prevent the free choice of their representatives by the people, rendering elections no better than a mockery, but to cause a breach of all moral, civil, and religious duties, and sow vices broad-cast over the whole face of the land. Crying aloud, he would not say for punishment, because, by the present law, no prosecution could be effectual, but for some legislative measure to prevent the repetition of such enormities—he had held it to be his duty to address himself to the subject, and as soon as certain inquiries which were proceeding in the other House with a totally different view had been brought to a close, he proposed to enable their Lordships in their own committees to take into consideration this great and important subject. For that object he presented a bill to facilitate inquiry here and elsewhere, if the other House chose to undertake the like investigations. That bill, with hardly any exceptions, met with the general assent of their Lordships, and about a mouth ago was despatched to the other House. It gave, not indemnity to witnesses, for to that there was the greatest objection; but it gave power to committees to indemnify witnesses if they should disclose honestly and fairly, and to the satisfaction of the committee, what should be required of them touching bribery and corruption. Now, there was an additional power which he proposed to give, as essential, which he believed at the time was unusual; he considered it of the first impression, never before propounded, and never acted upon; but he was disposed to grant it as tending to make inquiry effectual, — namely, a power to the committee, not only to indemnify witnesses themselves, but to protect persons of respectability respecting whom they should give evidence. The reason was obvious; many persons would not come forward unless they knew that they were themselves to be indemnified; but there was another and a larger class of persons, whose evidence was most material, who would not come forward even if they were indemnified, as well as their accomplices, unless you indemnified others also.

Another clause, which was declaratory as well as enacting, gave power to committees to withhold the names of parties. It had been suggested, that committees had that power, and no doubt it had been exercised by the bullion committee and other committees, who had withheld the names of individuals who had given very important evidence. The whole of this measure was with a view to one case—that of the last general election. It had not a prospective nor a retrospective effect. The provisions were framed on the supposition that it was expedient rather to forego the chance of bringing a number of persons to punishment, in order to obtain accurate information which might have an important bearing upon a legislative measure to be proposed, and he, for one, should say, that bad as the late scenes were, and great as the bribery and corruption had been during the last election, it was better to endeavour for the future to stem the frightful torrent of corruption which had inundated the morality of the country during the last six or eight months, than to take the chance of bringing offenders to punishment—to let bygones be bygones for that once, and to look to future legislation for future prevention and punishment. With that view, the measure had been framed, and it was sent down to the other House. He had every reason to believe, that there prevailed the same right feeling on this subject—the same desire to prevent the increase of this crime, as existed in their Lordships' House in the other House of Parliament, which was, if possible, more nearly and deeply interested in its prevention. He wished to speak with all proper respect of the other House; as representatives of the people, no portion of the community held it in higher respect than he did. He went further; he would respect it not only in the proportion in which it showed that it respected itself, but he gave it a larger measure of respect; he respected it in proportion of what it ought to do to possess respect. To command the sympathy of others, it was said, you must show that you were yourselves affected; and you will meet with more respect in proportion as you set the example of respecting yourself. Therefore he believed, and hoped he should continue to believe, that there was an honest and hearty desire prevailing there to investigate these grave charges, and therefore it was that he saw with no little astonishment that the other House did not avail itself of the opportunity which their Lordships had afforded of at once entering upon the investigation. An effectual measure had been sent down to the Commons, which offered the means, if they chose, of instituting inquiry, of getting at the truth, and of dragging forth the vice in all its naked deformity. Here was a lever put into their hands by which to work; and the first thing they did was to throw it aside, and say, "We won't have it; it may be effectual, it may be useful; but we won't have it, because it came from you." If they wanted to alter the bill, they might have done that. If they resolved that the House of Commons should have the inquiry, they might have secured it to themselves; but no, the bill was laid aside, and another substituted in its place, the only effect of which was to delay, for so many months, a remedy for the evil complained of. A large part of the bill passed by the other House was precisely the same, without the alteration of a single letter, as that which had been sent down by their Lordships; so that there was not the slightest reason why the other House should not have done what they had done by passing their Lordships' bill with alterations. It required all the charity of which he was master, it required all the candour which he could conjure up, or which he could borrow from any of their Lordships, to enable him to come to the conclusion that the same earnest desire prevailed elsewhere as he believed existed in their Lordship's House, to undertake seriously and effectually the investigation of this important subject. Privilege was alleged as the ground; no doubt with a great number of persons privilege had been the real and honest ground for the course which had been pursued; but he had no manner of doubt that there were other parties who had been very well pleased to put forward privilege as the justificatory reason, and whose real ground of proceeding had been wholly unconnected with the privilege of Parliament, but of a nature very nearly affecting themselves, and which had influenced them in desiring to delay that investigation which he deemed most necessary. He alluded not merely to those who were Members of the other House of the Legislature, but to those who sent representatives to Parliament. But if their Lordships suspected that such reasons as those to which he had referred, had influenced any parties, he recommended their Lordships, in order to frustrate the designs of those persons, to pass this bill, how objectionable soever it might be in some respects, and thus to leave no loophole of escape, no possibility of avoiding inquiry. That bill would arm the other House with as much power for inquiry as they had chosen to take, and it was no fault of their Lordships if that power was not effectual. If any persons connected with either House of Parliament entertained a design to prevent their Lordships from instituting an investigation, he could not congratulate those persons on their success, for he felt that they had gained a victory—a triumph—over the best interests of the country; but he must certainly admit that those parties had been completely successful, and that they had prevented, stifled, and cut off all chance of an inquiry being prosecuted by their Lordships' House. Had such an inquiry taken place, he would have been prepared to show that, during the last general election, practices had prevailed which were destructive of the freedom of election, and subversive of the morals of the people. He was prepared to show that, from the highest to the lowest ranks of the community, those practices had too successfully prevailed, that the influence of property had been very generally abused, that intimidation had been resorted to, as well as bribery and the lighter influence of property. He would have been prepared to show that high official influence had been used during that general election; that, as he informed their Lordships last summer when he broached this subject, the highest names in the country had been used on that occasion, and that the most gross abuses that could be committed had thus been perpetrated. He would have been prepared to show that means had been extensively adopted for the intimidation of electors, and the prevention of the free exercise of the elective franchise, especially with reference to a class of tradesmen to whom he would not now more specifically refer; and this circumstance, he considered, rendered it of the utmost importance that an inquiry on the subject should have been honestly and fearlessly instituted and completed. He had mentioned these matters in the course of the last summer, when he brought the subject under their Lordships' notice, but now the chance of instituting an inquiry had, as far at least as their Lordships were concerned, been taken away, because the bill now sent up to their Lordships confined inquiry to a few places, and to a few committees, entirely excluding a more general and, in his opinion, most urgently necessary investigation. Such was the nature of this bill which he recommended their Lordships to adopt. He certainly did not flatter himself with the hope, nor could he recommend their Lordships to entertain the expectation, that this bill would effect so much good, or nearly so much good, as the more ample and he thought better measure which their Lordships had passed with rare unanimity, or that it would enable those House of Commons committees, to which its benefits were confined, to undertake their investigations with that sure prospect of success which he conceived they might have secured by adopting the measure he had proposed, or that it would lead to the same results which he had no doubt would have been attained by his bill. But he really entertained a very sanguine expectation that the inquiries conducted under the bill now before their Lordships would prove, to a certain extent, beneficial to the country, with a view to the prevention of the practices to which he had referred, and to the adoption of some efficient legislative measures on the subject. He had great confidence in some of those Gentlemen who were known to him, and who, he saw by the votes of the House of Commons, had been appointed on one committee, armed with due powers to conduct an inquiry of this nature. He observed on that committee the names of some Gentlemen for whom he entertained great respect, who were men of high ability and honesty, and whose determination he believed it would be not to trifle with the subject, but to exercise the powers conferred on them by Parliament. When this bill was passed—as he hoped it would be without further delay—that committee would be armed with powers which he had no doubt they would exercise for the public advantage. "At all events, do not let us throw any obstacles in the way. The bill is before us—shorn, in a measure, of some of those provisions which rendered it valuable; but still it may to a great degree prove effectual. Pass that bill without delay. But a short period of the Session is now available for conducting the inquiry. Let us not throw any impediment in the way of investigation. We have offered our aid and assistance, and the offer has been rejected; they have pursued their own course; do not let us obstruct them in that course, but let us help and speed them, and continue to aid by all means in our power the investigation of this subject, in order to repress for the future the commission of such enormities. As soon as the other House of Parliament shall think fit to arm your committees with the same power with which you are disposed to arm theirs, I shall renew the offer of my humble help in aiding your Lordships in these inquiries; but until that power is given, until an efficacious mode of proceeding shall be open to us, I hold it to be utterly useless, and worse than a mockery, to take any further proceedings on this subject." He thought their Lordships had a right to ask the House of Commons, who had sent up this bill, to communicate the evidence which had been taken before some of the committees appointed by that House on the subject of bribery. When he mooted this question on a former occasion, he was told that the other House deemed it inconsistent with their privileges to send up to their Lordships the minutes of such evidence; but that, when a legislative measure should be forwarded to their Lordships for their sanction, the House of Commons would not object to communicate those minutes. He was now told, however, that objections were still entertained by the other House to furnishing thir Lordships with reports of the committees to which he alluded. The reports of those committees were, he believed, sold for 6*d*. each, and any person who chose to expend that moderate sum might possess them. But, while the other House did not hold it to be inconsistent with their interest to take the 6*d*., they considered it inconsistent with principle to allow the House of Lords regular access to the reports. He could not comprehend these nice distinctions of privilege. "Let them keep these reports to themselves," said the noble and learned Lord, "but let us abstain from following the example. In proportion as they are niggardly in their grant of aid to us in these matters, let us be lavish of our assistance to them; and as the first and best aid we can give them—remembering that he who gives quickly gives twice—let us without delay pass this bill, and wish most heartily that success may attend that inquiry which will be conducted under the measure. I beg to move that the bill be now read a second time."

The Earl of *Wicklow* said, he had supported the bill introduced by his noble and learned Friend, which was passed by their Lordships and sent to the other House. That bill was an indemnity bill for all witnesses, &c., who might be called on the trial of election petitions consequent on the late election. But what was the nature of the present bill? It was simply for the purpose of giving indemnity to witnesses upon one particular committee, which was not a bribery committee at all, but a committee to inquire into certain compromises. [Lord *Brougham*: And bribery.] He was aware that the committee must also investigate cases of bribery; but this bill excluded the various election committees to which the other bill entirely related. He must therefore say, that so far from being a substitute for the other bill, it was a bill of a directly different nature; and he felt great pleasure in saying so, because he ventured to hope that the House of Commons had not treated the bill of their Lordships in the manner which his noble and learned Friend seemed to suppose they had done. He should deeply regret that, because he agreed with every statement of his noble and learned Friend as to the duty and interest of the House to inquire as fully into such subjects as the House of Commons. It was quite true that House might feel a delicacy in delegating any portion of its power on that subject to their Lordships; but when an inquiry was to be instituted into corruption and bribery generally, unless their Lordships were competent to inquire into the matter it would be an evil of the greatest magnitude; and he believed that unless the House of Commons should entrust some other tribunal to inquire into these evils, which had of late years considerably increased, they would still go on increasing. He was of opinion with many Members of the other House of Parliament, that it was a most incompetent tribunal for the trial of election petitions, and he hoped that ere long the House of Commons would see, that if a stop was to be put to this increasing immorality it would be necessary to confer that jurisdiction on some other tribunal. The present bill solely relating to a particular point abandoned by their Lordships could not, in any manner, be considered as a substitute for the bill sent down; and he therefore ventured to hope that that bill had not been treated in manner suggested. The question now before their Lordships was with regard to the second reading of the bill, and the suspension of the Standing Orders in order to carry it through all its stages. He could not see the necessity for such a course of proceeding. Such a measure was sometimes adopted by their Lordships in cases of great exigncy, but it was contrary to the usual practice, and in its nature implied a violation of the usual forms of the House. He did not think his noble and learned Friend had made out a sufficient case for the suspension of the Standing Orders.

Lord *Brougham* said, his noble Friend was mistaken as to the diversity between the two bills. The great difference was, that this bill was confined to that one committee; but the former bill had nothing to do with election committees. He expressly avoided making any reference to election committees, because he understood the House of Commons objected to any bill respecting election committees originating with their Lordships. When he first saw the present bill, before it attained the shape in which it had now been sent up, it was word for word the same as the one sent down, with the omission of the clause as to secresy, and shutting out their Lordships and their committees, and confining it to that committee. The whole of the first clause was inserted *mutatis mutandis*, and the whole of the second clause was put in word for word, and with a singular accuracy, because it inserted a part by mistake that did not apply to the bill in its present shape.

Bill read a second time.

Lord *Brougham* then moved the suspension of the Standing Orders. His reason for doing so was this. The subject had already been fully discussed, and although the committee of the other House had been appointed for some time, it had not been able to proceed for the want of this bill.

Lord *Campbell* should not object to the suspension of the Standing Orders, but he hoped it would not be considered that by this mode of proceeding any Member of their Lordships' House intended to cast a sarcasm upon the House of Commons. He must use the freedom of regretting that his noble and learned Friend (Lord Brougham), who for so many years was such an ornament of the House of Commons, and for whom the House of Commons now entertained the most kindly recollections, should, on various occasions (as it seemed to him), have gone out of his way to utter sarcasms and fulminations against that branch of the Legislature. He did not find that his noble and learned Friend had brought forward any reason for the attack he had made; nor was there any reason for supposing during the present Session of Parliament that the House of Commons had not heartily, seriously, and vigorously, set about to suppress this very great offence of bribery. According to the votes of the other House, a very great portion of its time seemed to have been occupied in investigating cases of bribery, and from the bill the Commons had now sent up to their Lordships, it appeared that a committee had been appointed for the first time to inquire whether corrupt compromises had been entered into in respect to the several boroughs of Harwich, Nottingham, Penryn, Falmouth, Bridport, and Reading. Could a more stringent measure be resorted to for the purpose of discovering the truth and of suppressing the offence? His noble and learned Friend had complained of a bill which he had brought into their Lordships' House, and which had been sent down to the Commons not having been returned. It might still be taken into consideration, be passed, and returned to their Lordships, and receive the Royal assent. But if the House of Commons should not approve of his noble and learned Friend's bill, surely they had the right to judge for themselves, and determine what was the most expedient course they should take. Although that bill passed their Lordships' House without any vote being taken upon it, yet for one he did not think it was calculated to produce any very important effect; and if it should not be allowed to come up for the Royal assent, he doubted whether the public—always speaking with the most sincere deference to his noble and learned Friend—would suffer very much from that measure being lost. The clause, the omission of which his noble and learned Friend complained of, was one which his noble and learned Friend himself admitted to be entirely new, and which, if it had passed, would certainly have gone down to posterity as the "Brougham clause." It enacted that the committee of either House might grant pardon, not only to a witness, but to any person whose name might be mentioned during the investigation touching all crimes and offences that might be committed during the election. This was allowed to be new, and he very much doubted whether the House of Commons, upon consideration, would adopt such a clause; and he rather thought some noble Lords did not oppose the clause, thinking that it was not very likely it would meet with the approbation of the Legislature. What might be the effect of this? Suppose a committee appointed by each House to investigate the same case; and the committee of the House of Commons should order the Attorney-general to prosecute a party for bribery, to whom, let it be supposed, the House of Lords had granted a pardon. The two branches of the Legislature would be thus brought into collision; and a clause of that nature might have led to such inconvenient consequences, as might have justified the House of Commons to reject it without being so severely lectured as it had been by his noble and learned Friend. He should be sorry to find that his noble and learned Friend, who was so long an ornament of the House of Commons, and from whose talents, eloquence, and patriotism, he entertained the highest possible respect, should at all detract from the merits belonging still to that assembly. He hoped that his noble and learned Friend did not think that the House of Commons had lost all virtue because his noble and learned Friend was no longer a Member of it. He knew not whether his noble and learned Friend would be sorry again to sit as the leader of the Opposition, or as the organ of Government in that House. Perhaps he would, and perhaps he would not; but of this he was sure—having himself but very lately belonged to that House—every Member of it retained a lively sense of the great merits, abilities, and eloquence of his noble and learned Friend, and it would give him great pleasure to find that those kindly recollections were mutual, and that his noble and learned Friend thought and talked as kindly of the House of Commons as the House of Commons thought and talked of him.

Lord *Brougham* said, that nothing was more gratifying to him than to hear the respect which his noble and learned Friend had been pleased to express towards him on the present occasion, and he begged leave to return, with equal sincerity, the assurance of his entertaining the same degree of respect for his noble and learned Friend; and, consistently with that respect, he would add, that a more able, or more effectual, and a more triumphant defence could not have been made for those proceedings of which he had undertaken to be the advocate. He had often known his noble and learned Friend more successful, more triumphant as an advocate in other causes, but then it was when his case was better than it was upon the present occasion; and all he could say was, that his noble and learned Friend had done the utmost that could be done for the cause he had maintained. But the mis-statement and the false reasoning of his noble and learned Friend, his noble and learned Friend himself, never surpassed, upon any former occasion, even at the bar or in their Lordships' House; he meant when making mis-statements, and using false reasoning, in the character of a retained advocate, and when it was his duty to attend to the interests of his client alone, and to be governed by no other principle while maintaining those interests. His noble and learned Friend had said, that the clause which his noble and learned Friend had been pleased to baptize with his name, was at once monstrous and perfectly intolerable, and therefore their Lordships had made a fortunate escape by that clause being struck out. But what might have happened? His noble and learned Friend said, that a committee of the House of Lords might grant a pardon to a party whom the House of Commons had directed to be prosecuted. Now, in the first place, that clause did not give an indemnity; it was left to the discretion of the committee: and did it not occur to their Lordships that that committee would have been strangely advised, and would have had a most extraordinary notion of its own duties, if it had exercised the power of indemnifying a witness in opposition to a vote of the House of Commons. But moreover, was this effect peculiar to that clause? Why, the same thing might happen under the very bill now before their Lordships; for suppose the House of Commons should indemnify a party, was there anything to prevent the House of Lords addressing the Crown, praying that the Attorney-general might be directed to prosecute the individual? Most undoubtedly not. But how stood the case with respect to other bills? Bills had been sent up from the House of Commons, a few years ago, liable to precisely the same objection. When his noble and learned Friend was Attorney-general, bills giving a committee of their Lordships' House the same power of coming into collision with the House of Commons, as the clause which he had framed would have given, were sent up to their Lordships'. That argument, therefore, was entirely at an end. There could not be the least quarter given to it, for it arose from a complete mis-statement of the object of the clause, and a complete want of recollection of the nature of former bills. Let him add, that after a bill had passed that House, it was not the bill of the individual, but the bill of the House which had adopted it. He also begged leave to disclaim most amply the least intention to cast any vague or spiteful imputations, or any disrespectful aspersions upon the other House of Parliament. He denied, and utterly disclaimed any such intention. He had, however, thought it his duty to call the attention of their Lordships to the delay which had taken place in the other House of Parliament in respect to the measure of legislation which their Lordships had sanctioned.

Standing Orders suspended. Bill went through committee, and was read a third time and passed.

The House adjourned.

HOUSE OF COMMONS,

Tuesday, June 14, 1842.

MINUTES.] NEW MEMBERS.—Sir Thomas Winston Barron, Bart., and Thomas Wyse, Esq., for Waterford City.

BILLS. *Public.*—1°. Writs of Error.

2°. Perth Prison; Assessed Taxes.

3°. and passed:—Sugar Duties; Law of Merchants Act Amendment; Double Costs; Tithe Commutation.

Private.—1°. Hawke's Divorce.

2°. Ashton's Divorce; Rouma's Naturalization; Lesbazielle's Naturalization; Toxteth Park Paving and Sewerage (No. 2).

3°. and passed:—Gair's Naturalization; Carlow Road.

PETITIONS PRESENTED. By Mr. Thornely, from Sefton, for the Abolition of Church Rates.—By Mr. Villiers, from Solicitors and Attorneys at Wolverhampton, and Clitheroe, for the Repeal of the Duty on their Certificates.—From persons employed in the Pilchard Fishery in the Bay of St. Ives, for the Abolition of Tithe on Fish.—By Mr. Alderman Copeland, aad Dr. Bowring, from Pentonville, Ward of Farringdon Within, Richmond, Finsbury, and the Ward of Portsoken, for the Redemption of the Tolls on Waterloo, and the other Metropolitan Bridges.—From Derby, Spondon, Newhall, Repton, Dalbury, Trussley, Breadsall, and Ockbrook, for Inquiry into the System of Education pursued at Maynooth College.—By Mr. Ewart, from the Mechanics Institute at Brentford, that such Institutions may be relieved from the Payment of Rates and Taxes.—By Mr. Hindley, from Cheetham, Ashton-under-Lyne, Hyde, Staleybridge, Ardwick, and Mixenden, for a Ten Hours' Factory Bill.—From Hexham Union, and Greenwich Union, against the Poor-law Amendment Bill; from J. S. Tickell, and J. H. Nankwell, for Alteration in that Bill in relation to Medical Officers.—By Sir G. Strickland, from Great Duffield, for the Abolition of Slavery.—By Mr. Villiers, from Wokingham, Manchester, and Grudthorp, for the Repeal of the Corn-laws; and from Wolverhampton, against the introduction of any Clause in the Public Houses Bill to Compel Public Houses in the country to Close from 12 o'clock on Saturday night till 1 o'clock on Sunday morning.—From Trustees and Creditors of the Bridgewater Turnpike Roads, against the Turnpike Roads Bill.—From the Poor-law Union of the Isle of Thanet, to Rate the Owners of Small Tenements.

BELFAST ELECTION.] Mr. *Shaw* rose to move, pursuant to notice, that a new writ be issued for the borough of Belfast. He entirely concurred in the opinion which the right hon. Baronet had expressed, in common with other Gentlemen who maintained, that in cases of this kind, the House should act judicially, and without any party feeling; and he could assure the House, that it was entirely in this spirit that he brought the present case under consideration. The facts of the case, as far as the House was in possession of them, were very brief. On Friday, the 5th of June, the election committee reported that the then sitting Members for the borough of Belfast had not been duly elected, and that the election was void. On the same evening the right hon. and learned Member for Cork gave notice, that he would move for a committee to inquire into the matter, but in this first notice the right hon. and learned Gentleman had made no mention of bribery. The right hon. and learned Gentleman's motion was founded upon personation and perjury. On the Monday following a petition was presented respecting this election from a Mr. Cropper, the statements made by whom were not such as entitled him to any particular consideration. His statement was simply this, that he left Carnarvon some years ago, in consequence of pecuniary embarrassments; that he then set up a public house at Belfast, and that, at the last election, he received a bribe of 50*l.*; this was all that he said he was in a condition to prove. Hereupon the right hon. and learned Gentleman amended his motion, and gave notice that he would move for a

> "Select committee to inquire into a certain corrupt compromise made in the case of the late Belfast election, for the purpose of avoiding the consequences of the committal of gross bribery."

This notice he had found yesterday, printed at the bottom of the motions on an order day; and he was persuaded that there it would be allowed to remain, and the issue of a new writ might thus be suspended for an indefinite time. Under these circumstances, he had thought it a public duty to move, that the writ should issue without further delay. He did not at all understand what case the right hon. and learned Gentleman was prepared with; but the facts before the House were clear enough. As to the charges of personation and perjury, though, no doubt, these were grave offences, which deserved severe punishment, yet, even if they were established, they would show not that the *bonâ fide* electors were offenders who ought to be deprived of their franchise, but that they were persons sinned against, and it would be very unjust to punish them. Even if every fact stated by Cropper were true, still the case would be very many degrees better than that of Ipswich, or than that of Newcastle; in both of which cases bribery had been proved, and in both of which cases a new writ had been issued. There was no person in or out of the House who deprecated and deplored more than he did that general system of bribery which was said to have prevailed at the late elections. If it were true that it did so prevail, all he could say was, that that if persevered in, it would destroy the character of the House and morals of the country, and he should be the last man in the world to throw any obstacle in the way of a most searching inquiry into all the allegations of bribery, and of inflicting severe punishment where bribery had been committed. Up to the present Session it had been the invariable rule of Parliament never to refuse to issue a writ, except in cases where the committee had reported extensive bribery, which required to be visited with disfranchisement, or in certain other cases, none of which had an affinity with that of Belfast. He thought that the House had already gone rather too far in suspending writs on the mere allegation of the hon. and learned Member for Bath, allegations altogether unsupported by facts. He was free to confess that, in the cases brought forward by the hon. and learned Member for Bath, there was a notoriety about the circumstances of these cases, which did justify some special interference on the part of the House; but, whatever might be said as to the case of Nottingham, for example, it did not at all apply to Belfast. In the case of Nottingham, the committee, contrary to the prayer of the petitioners, declared that the sitting Members were duly elected; and the hon. and learned Member for Bath informed the House that a compromise had been made, by which one of the sitting Members was to retire, and a sum of money was to be paid to secure the election in his place of another Gentleman. The circumstance of the sitting Member's vacating his seat lent a colour to that statement. The case of Belfast, however, was quite the reverse. In this case, in pursuance of the prayer of the petitioners, the committee declared that the late election was void; the same parties as before were now in the field as candidates at the ensuing election; and he apprehended that there was no person of Parliamentary experience and knowledge who would deny, that supposing any of these parties to be re-elected, and others to be petitioners in the case, the whole matter which occurred at the last election would be inquired into by the new committee. By the law of Parliament, any such new committee would be regarded as merely in continuation of that which had just reported, and would have full power to inquire into the whole transaction throughout, the Queen's original writ not having been yet satisfied. There were now four different candidates, the two late sitting Members, one of the petitioners, and the brother of the other, that other petitioner having since become a peer; and indeed he believed that a fifth candidate was about to appear. The House had already sufficiently entangled itself with suspended writs, and he therefore hoped that it would not still further and more seriously embarrass itself by suspending the writ in a case the justice of which he conceived required that the writ should forthwith issue. He had taken up this question without connection with the Government or with Belfast. He was extremely anxious, as he said before, that the House should decide in a judicial manner, and without bias; and if any wrong had been done, that they should not punish the innocent for the guilty. The right hon. and learned Gentleman concluded with moving that a new writ be issued for the return of two burgesses to represent the borough of Belfast in this present Par-

Mr. *Hughes* seconded the motion.

Viscount *Sandon* begged to trespass on the House for a few minutes. He had received a note yesterday from one of the late Members for Belfast, whose conduct was called in question, requesting that he would state, on behalf of Mr. E. Tennent and Mr. Johnson, in reference to an alleged compromise of the questions before the Belfast election committee, that if any such arrangement had ever been made, it was made without their authority or participation, and without any concert or understanding with either of them.

Mr. *O'Connell:* I rise, Sir, to move, by way of amendment, the appointment of a select committee, in the terms of the notice, to inquire into a corrupt compromise made in the matter of the Belfast election petition. The House will at once perceive that there is not the least intention to deny the existence of a compromise; on the contrary, the inference to be drawn from the statement which the noble Lord the Member for Liverpool has communicated to the House is, that the late Members for Belfast know that a compromise has taken place, though they disclaim being any parties to it. To what do they deny being parties? To a compromise: you have already decided that a corrupt compromise is a breach of the privileges of this House. In several cases, you have acted on that decision, and sent questions of compromise to inquiry. You have done this in cases much less strong than the present, and if the rule be that there is not to be one law of compromise for England, and another for Ireland, you are bound to grant my motion, or to declare that you were wrong in all the other cases, and to rescind your former decisions. My motion is for a committee to inquire into a corrupt compromise. The hon. and learned recorder tells me that every question that can be now raised may be raised before a future election committee. The question of compromise cannot be so raised. Nothing is more plain than that it cannot. A future committee may go into the circumstances which rendered that compromise advisable, but they cannot possibly inquire into the compromise itself. The accusation which I make, which I have made already, is this—that there took place during the last election for the town of Belfast extensive and gross bribery. From the facts that have been communicated to me, I am bound to say, and I say it readily, that that bribery was not confined to one side, but that it was committed by both parties; with this distinction, however, according to my information, that while the bribery on one side is not traced to the defeated candidates, on the other side it has been intimated by inference, but pretty clearly, that there was guilty knowledge of bribery on the part of the late sitting Members for Belfast. My statement, then, on authority to which it is impossible to refuse credence, is, that gross and extensive bribery took place at the last election for Belfast, that it was organised, systematically enanating from the committee rooms. I have the names of more than one of the persons who were bribed; one who received 40*l*., and others who received various sums from 50*l*. ~~down to~~ 10*l*. I am also informed, and am able to prove, that a system of personation of the most corrupt kind took place. A list of those who had voted at a former election for the Conservative candidates, and who died, left the country, or lost their qualifications, was stereotyped by a person who formerly voted for the Liberal candidates. That person having been paid for the document three times the proper amount of his bill, was prevailed upon not to vote at all at the last election. The list of those dead and disqualified voters being obtained, arrangements were made to bring in persons from a distance to personate those who were no longer entitled to vote. Those persons were brought in chiefly from the neighbourhood of Monaghan. They were kept in a house by themselves. Suits of clothes were purchased for the purpose of disguising them, and in particular, there were purchased a number of suits of Quaker's apparel. Those persons went up to the booths, took the identity and bribery oaths, and voted for the late sitting Members. One of them voted three times. Another twice. I have been furnished with the names of fourteen of these personators, and of thirteen others, by most respectable witnesses, who are prepared to prove the existence and extent of this system. Witnesses to prove these facts were brought over to London, and it was found necessary to keep them as much as possible out of the way of influence which would have been exerted to prevent them from giving evidence. Attempts were made at Belfast to effect a compromise, but those attempts were unsuccessful. I am now enabled to prove that a compromise was made subsequently in these terms. First, the Members were to be unseated by the co-operation of counsel on both sides, upon matters of form. Next the entire of the expenses of the Liberal party before the committee, and the expense of their witnesses, was to be forthwith paid. I am able to prove that those expenses were either actually paid or perfectly secured. Look at the report of the committee. They did not report that the petition or the return was frivolous and vexatious, and therefore no costs were given. They decided against the liability of either party to the costs of the other side. By a corrupt compromise, however, the entire of the costs of one party were paid by the other. I believe I can prove this fact. I have before me the petition of one person who was bribed,—but it is said that this man owed money at Carnarvon. It seems that a man is not to be believed, because he owed money at Carnarvon. It is alleged that he executed some deed of an improper kind in reference to his creditors. These accusations are now made against this man, but I ask, is he not the same man to whom the late sitting Member for Belfast wrote in very affectionate terms, concluding with, "Most truly your's," an expression which he would hardly use to any one who was not a respectable person. But the character of this man is a matter for the committee to decide upon. That committee I ask for upon allegations quite as strong as any which you had in the cases brought forward by my hon. and learned Friend the Member for Bath. The evidence in those cases was simply this:—"I was told—I have been informed, and I believe I can prove;" you have infinitely more here. I have lists of the witnesses who can prove the facts I have stated. I have a distinct allegation from Mr. Cropper of the existence of the compromise. He states, that the sitting Members engaged to defray all the expenses of the House of Commons' committee, on condition, that the inquiry into bribery and personation should be abandoned, the return made void on the ground of illegal conduct at the poll, and that the two local parties in Belfast should return one Member each, the new Tory Member to be the said "James Emmerson Tennent." Mr. Tennent now comes forward with a declaration, separating himself from the compromise; but does he deny, that there has been an arrangement to ensure his own return? Does he deny that it has been agreed upon, that a Member of opposite sentiments shall be returned? Has he attempted to deny that such an arrangement has been made? The hon. and learned Recorder tells me, that there are four or five candidates in the field, amongst others Mr. Johnson, who is excluded by the compromise from being returned; but this is a mockery and insult to the House, while the existence of the compromise is not denied. You have these facts put distinctly before you by a man against whom there is no disparagement, but that he was in debt, and looking for a place. The electors of Belfast are most anxious to have the case investigated. I have had letters from the most respectable quarters, expressing the general feeling in Belfast, that the crimes of the last election should be hunted out, and those concerned in them punished. The fact of this hideous personation and multitudinous perjury, requires to be investigated. All I want is a committee; of whom it is to consist is an ulterior question. I also wish to leave it to the House, whether this should be referred to the committee on the other cases, or to a new committee. Taking for granted, that the committee in the English cases will be successful in attaining its object, I ask you to adopt the same principle with regard to Irish cases. What will be said if you refuse this? Why, perhaps, that it was Belfast's turn to have a writ. It is said, that writs are issued and refused alternately, and people may think, that the Nottingham writ having been refused, it came to the turn of Belfast to have the writ issued. Something worse may possibly be said. In the Nottingham case, the person accused was a Member of the late Administration. The person now accused is a Member of the present Administration. Both belonged to the same office. Shall it be said, that the writ was refused where the Whig President of the Board of Control was concerned, but granted when the Tory Gentleman of the same board was affected by it? Or, perhaps it will be said, that you felt it necessary to patronise this Gentleman in return for his condescension in patronizing the present Administration. In his address to his constituents he tells them, that the best proof he can give of his entire confidence in the present Administration is, that he has accepted office under them. [*Laughter.*] Yes, he has honoured you with his patronage. Will you patronise him in return? That is the question. I bring forward a stronger case than any that has come before you. I have information, not barren and general, but the names of parties. I can prove pecuniary corruption, the payment of expenses where a single penny need not have been paid for the purpose of shutting out investigation, and the agreement to have two Members of different politics returned to represent the borough. Under these circumstances I respectfully submit that I have made out a stronger case than any of the English cases. I wish to say nothing implying that this gentleman will be protected because he is a Member of the present Administration—that is a conviction which I will postpone for the present. I shall therefore move, by way of amendment, for

> "A select committee, to inquire whether a corrupt compromise has been entered into, for the purpose of avoiding investigation into gross and extensive bribery, and gross and corrupt personation of voters, and consequent perjury, alleged to have been practised at the late election for Belfast."

Captain *Polhill* said, that having been a Member of the Belfast election committee, he hoped the House would bear with a few observations from him on the matter. He most readily and cordially supported the motion of his hon. and learned Friend (Mr. Shaw). The evidence that came before them on that occasion was, in his opinion, clear, lucid, and free from anything like proving bribery. The grounds put forward by the learned counsel, and on which the committee decided, were, first, the minority of certain of the deputy relieving officers, that they had administered the bribery oath, they being under age. That circumstance was of itself, both in his opinion and that of the committee, fatal to the claim of the sitting Members. The second ground counted upon by the learned counsel was, that in a certain booth, marked letter M., great delays were occasioned in bringing the tallies up; the bribery oath was administered to almost every person that presented himself to vote, except to a few respectable persons; and in this latter case, where the oath was not administered, a certain compromise was entered into, of granting a delay of three minutes, so as to equalize the position of the contending parties. Upon those counts his mind had been made up, and they formed the grounds for the decision come to by the committee. He hoped, then, that the right hon. Baronet at the head of her Majesty's Government would support the motion of his right hon. Friend.

Sir *H. W. Barron* was enabled to state to the House the names of the parties who made the compromise, and the amount of money agreed to be paid. The person who acted on behalf of the Tory candidates was Mr. John M'Neile, of Belfast; and the gentleman who acted for the petitioners was Mr. Campbell, of the same borough. The money agreed to be paid to prevent anything from going before the committee—to keep back the evidence, and prevent Members of the committee from knowing anything of the kind was, 600*l.* paid down, and a further sum of 400*l.* agreed to be paid according to the arbitration of a gentleman resident in Belfast. That gentleman the parties agreed to fix on to determine whether the additional 400*l.* should be paid or not. He need not give that gentleman's name, as he was not mixed up in the transaction. But if any Gentleman denied what he now stated, he was prepared to give the name. That Gentleman had not compromised his character or the rights and privileges of that House; but the other Gentlemen had. They had acted so as to stultify the committee on which the hon. and gallant Officer sat, and he wondered the hon. and gallant Officer did not perceive it. The proceedings before the committee were a solemn and ridiculous, but a very thin-veiled farce. The whole facts had come before the public, and were notorious to every club in London. He had heard the names and facts stated by several parties. One of the agents was now living at the Birmingham hotel. Let him be called to the Bar of the House and examined upon oath. Let them call to the Bar of the House John M'Neile, who had acted for the Tory candidates, and see whether he would deny that he was a party to that compromise, that the money was paid, or promised to be paid, and that he acted for those candidates. If, after suspending the writ in the case of Nottingham, they refused to suspend it here, there would be an end of justice, an end of common sense, and they would be attempting the grossest delusion, but a delusion which would not pass current with the most thick-headed dolt who read their proceedings.

Sir *R. Peel* quite agreed with his hon. and learned Friend the Member for the University of Dublin, that the House had got into a state of great embarrassment in consequence of these allegations. But why had they got into that embarrassment? Why had they been compelled to adopt a course, novel he admitted, and not warranted by the precedents of former Parliaments? It was because they had passed an act of Parliament to dispense with the necessity of proving agency, as a preliminary to the proof of bribery, and because they had appointed committees, which, notwithstanding the imputations thrown out against them, he believed had in all their proceedings shown a disposition to perform their duties without reference to party considerations. The embarrassment, he believed, was the consequence of these two acts—the act for the amendment of the election tribunals, and the act dispensing with the necessity of proving agency as a condition of proving bribery. The proceedings before some of the election committees had been paralysed, because evidence had been withdrawn from them, and this had produced embarrassment. As he had said before, he did not think the House of Commons, by appointing tribunals to adjudicate on questions of individual right, ever intended to deprive themselves of the general jurisdiction over cases of bribery. He did not think that the House ever intended that the decision of an election committee, without sufficient evidence before them, should protect bribery from any farther investigation. He did not believe that that was the intention of the House, or that it would be consistent with its credit. The present case was one on which he must decide for himself on judicial grounds. He did not see any distinction between this case and that of the hon. Gentleman opposite, the Member for Penryn; that hon. and gallant Officer stated that a compromise had been entered into, but at the same time made a positive declaration on his honour that he was no party to it, or cognizant of it. Notwithstanding that, the House of Commons instituted an inquiry, and subjected those proceedings to investigation before a select committee. Now, with respect to the paper read by his noble Friend the Member for Liverpool, it appeared to him that while it contained a declaration on the part of the late sitting Member that he was not a party to any compromise, it not only did not negative the fact of a compromise having been made, but from its terms it was almost tantamount to an admission that there had been a compromise. In his opinion the House was bound to act in these matters in such a way as to convince the country that it was in earnest. The House must show that it desired to prevent, as far as it had power—that power might be limited, but as far as it extended—the growing system of bribery, and the system of compromise to prevent its exposure. After the statement of the right hon. Member opposite, so explicit and specific with regard to names and sums, he thought that this was a case as strong as that of the hon. and gallant Officer to whom he had referred. The case of Belfast was not exactly the case of Nottingham. Here the seat was declared vacant, and there was no allegation of a sum of money paid to have the return of an opposite candidate. At the same time there was a distinct allegation of a compromise, which, though the sitting Member was not a party, might have been effected by persons acting on his behalf. This required investigation, but to prevent future embarrassment, he thought that they ought, as quickly as possible, to apply themselves to the bill of the noble Lord, for the purpose of laying a foundation which would prevent the necessity of deciding on individual cases, and enable them to base their legislation on some principle. Seeing that the House had been driven to the necessity, by frequent compromises, of adopting a new course—that they had determined, in four or five cases of alleged compromise, to appoint a committee for the purpose of conducting an inquiry—he could not see that the analogy of those cases did not extend to the present, In his opinion, the character of the parties themselves required that an inquiry should be instituted on the same ground on which it had been instituted in other cases. He would therefore vote, in the first place, that an inquiry of some kind should be instituted. He would also vote for the suspension of the writ for a limited time, until that inquiry should have made some progress. At the same time, he thought it would be better that, both in the case of Belfast and Southampton, the writ should not be postponed indefinitely, but for a determinate period. In the appointment of the select committee, he simply wished that it should be such as to secure general confidence in its proceedings. If the committee were so constituted, he did not think that it would be advantageous to the parties themselves, and it would not be creditable to the House itself, to seek out for technical reasons against the inquiry. As he was for inquiry, so was he also for not issuing the writ for a limited time.

Sir *R. Inglis* did not see why, if they were to have an inquiry, they were to be prevented from issuing the writ. He could understand the course they were about to adopt, if the right hon. and learned Gentleman declared that he proposed the inquiry with the intention to disfranchise the borough. In that case it would be perfectly intelligible not to issue the writ. As it was a constitutional right, he was in favour of issuing the writ.

Mr. *Redington* remarked, that the ground of the compromise was, that there was to be no contest; and if they did not now suspend the writ, they could not have the opportunity of inquiry. He thought that the manner in which the right hon. Baronet had acted was highly creditable to him. It proved that the House was prepared to show it was in earnest in its inquiries.

Lord *John Russell* observed that the hon. Baronet the Member for the University of Oxford had made an objection that they could not take the course now proposed unless they were prepared to disfranchise the borough. This did seem to him a very extraordinary argument; for, according to it, they must be prepared to say what the result of the proposed inquiry must be, and to determine on that result, before they suspended the writ, and before they determined on the inquiry. He thought it was quite sufficient for them that they found the seats vacant, and that they thought it necessary to have an inquiry. The remedy that might be applied, in consequence of the inquiry, might be such as that they would have a purer election in Belfast. They might find that some fifty or a hundred persons were constantly in the habit of receiving bribes. Those persons might be disfranchised. There might, too, be a particular class constantly in the habit of receiving bribes. Now, they might purge the constituency of that corrupt portion of the electoral body, and thus restore it to its purity. They might, too, find that the arrangement of the polling places was such as to require amendment; that where there was a great number of persons whose names began with the same letter of the alphabet, and that there were not sufficient facilities for their giving their votes, they might find a remedy. This and other things might be the result of an inquiry. Let the hon. Baronet and the House but consider what would be the effect of this argument. Let them suppose a place that was very small, where there were not more than 250 votes. If these votes were corrupt, they might be all disfranchised. But if the same thing occurred in a very large city or town, they would not propose that remedy. In fact, the hon. Baronet said, let there be perfect impunity in large towns—that large towns might be as full of corruption and bribery as they might be. The only thing proposed to be done in large towns was, that those guilty of bribery should lose their seats, while small boroughs might be disfranchised. He was sure the House must perceive that there could not be anything correct in such a course of proceeding. Whether the town were large or small, they ought to apply a remedy. With respect to the cases that had been already before the House, he had on two of them the misfortune to differ from the majority. Without saying whether he thought the majority were in the right, still he could not refrain from declaring that he thought it would have been a much better course if they had delayed issuing the writs until they had considered all these cases, until they had compared the merits of the different cases, and then see what might be the result of all. He thought that greater satisfaction would have been afforded if the whole matter could have been decided at the same time, than have its time now taken up by isolated and different proceedings. In the present case he was perfectly satisfied with the course which the right hon. Gentleman had taken, and he certainly meant to vote in favour of a motion for an inquiry.

Mr. *Shaw* replied, that the late Members had nothing to do with the compromise. A mere compromise to avoid litigation was commendable, but a corrupt compromise, to avoid investigation into bribery, he admitted to be a great breach of their privileges if committed by a Member of the House. It was not alleged that such had been entered into by the late Members. The late Members knew nothing of it. So far was that from being the case, that Mr. Johnson, he was sure, was a *bonâ fide* candidate, and that there would be a severe contest. He must say that his feelings were in favour of the constitutional rights of the electors; still if it were the wish of the House he would withdraw his motion. ["No, no."] Then, if he must give a vote, that vote should be, of course, in accordance with his convictions.

The House divided on the motion for

issuing the writ.—Ayes 73; Noes 170:—Majority 97.

List of the AYE

Allix, J. P.
Antrobus, E.
Archdall, Capt.
Arkwright, G.
Astell, W.
Baillie, Col.
Bateson, R.
Blackstone, W. S.
Buckley, E.
Buller, Sir J. Y.
Burrell, Sir C. M.
Carnegie, hon. Capt.
Christopher, R. A.
Chute, W. L. W.
Cochrane, A.
Colvile, C. R.
Connolly, Col.
Cresswell, B.
Darby, G.
Dick, Q.
Douglas, J. D. S.
Du Pre, C. G.
Eaton, R. J.
Escott, B.
Fellowes, E.
Feilden, W.
Ferrand, W. B.
Filmer, Sir E.
Fleming, J. W.
Ffolliott, J.
Forbes, W.
Glynne, Sir S. R.
Godson, R.
Grimsditch, T.
Grogan, E.
Hamilton, W. J.
Hampden, R.
Hawkes, T.
Henley, J. W.
Hinde, J. H.
Hodgson, F.
Hornby, J.
Hughes, W. B.
Hussey, T.
Jocelyn, Visct.
Kemble, H.
Lefroy, A.
Litton, E.
Lowther, J. H.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, W. F.
Mackinnon, W. A.
M'Geachy, F. A.
Manners, Lord J.
Marton, G.
Paget, Col.
Pigot, Sir R.
Polhill, F.
Pollington, Visct.
Praed, W. T.
Rashleigh, W.
Repton, G. W. J.
Round, C. G.
Rous, hon. Capt.
Scott, R.
Scott, hon. F.
Sheppard, T.
Stuart, H.
Taylor, T. E.
Vere, Sir C. B.
Waddington, H. S
Williams, T. P.

TELLERS.

Inglis, Sir R. H.
Shaw, H.

List of the NOES.

Acland, Sir T. D.
Adare, Visct.
Barclay, D.
Baring, rt. hn. F. T.
Barnard, E. G.
Barneby, J.
Beckett, W.
Bell, M.
Bellew, R. M.
Bentinck, Lord G.
Bernal, R.
Blake, M. J.
Bodkin, J. J.
Bowring, Dr.
Browne, hon. W.
Buller, C.
Busfeild, W.
Butler, hon. Col.
Byng, G.
Byng, rt. hn. G. S.
Callaghan, D.
Campbell, A.
Carew, hon. R. S.
Cave, hon, R. O.
Chapman, B.
Christie, W. D.
Clive, E. B.
Copeland, Alderman
Corry, rt. hn. H.
Craig, W. G.
Crawford, W. S.
Damer, hon. Col.
Denison, E. B.
Dennistoun, J.
D'Israeli, B.
Douglas, Sir H.
Douglas, Sir C. E.
Duncan, Visct.
Dundas, Admiral
Dundas, D.
Egerton, W. T.
Egerton, Sir P.
Ellice, rt. hn. E.
Ellice, E.
Eliot, Lord
Elphinstone, H.
Esmonde, Sir T.
Estcourt, T. G. B.
Evans, W.
Ewart, W.
Ferguson, Col.
Fremantle, Sir T.
Gaskell, J. Milnes
Gibson, T. M.
Gill, T.
Gladstone, rt. hn. W. E.
Gordon, Lord F.
Gore, M.
Gore, W. R. O.
Gore, hon. R.
Goulburn, rt. hn. H.
Granger, T. C.
Greene, T.
Grey, rt. hn. Sir G.
Grosvenor, Lord R.
Guest, Sir J.
Hanmer, Sir J.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Heathcoat, J.
Heathcote, G. J.
Hervey, Lord A.
Hill, Lord M.
Hindley, C.
Hodgson, R.
Hollond, R.
Hope, hon. C.
Howard, hn. C. W. G.
Howick, Visct.
Hume, J.
Hutt, W.
James, W.
Johnston, A.
Johnstone, Sir J.
Labouchere, rt. hn. H.
Lambton, H.
Langston, J. H.
Layard, Capt.
Legh, G. C.
Lemon, Sir C.
Liddell, hon. H. T.
Lincoln, Earl of
Macaulay, rt. hn. T. B.
Marsland, H.
Martin, J.
Maule, rt. hn. F.
Miles, P. W. S.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Nicholl, rt. hn. J.
O'Brien, C.
O'Brien, J.
O'Brien, W. S.
O'Connell, M. J.
O'Connell, J.
O'Ferrall, R. M.
Ogle, S. C. H.
Ord, W.
Oswald, J.
Packe, C. W.
Pakington, J. S.
Palmer, R.
Parker, J.
Pechell, Capt.
Peel, rt. hn. Sir R.
Peel, J.
Pendarves, E. W. W.
Philips, G. R.
Philips, M.
Plumridge, Capt.
Ponsonby, hn. C. F. A. C
Ponsonby, hon. J. G.
Protheroe, E.
Ramsbottom, J.
Redington, T. N.
Richards, R.
Roche, E. B.
Rundle, J.
Rushbrooke, Col.
Russell, Lord J.
Russell, Lord E.
Scholefield, J.
Seale, Sir J. H.
Seymour, Lord
Sheil, rt. hn. R. L.
Somerset, Lord G.
Stanley, Lord
Stanley, E.
Stanley, hon. W. O.
Stansfield, W. R. C.
Stuart, W. V.
Stuart, Lord J.
Strickland, Sir G.
Strutt, E.
Sutton, hon. H. M.
Thornely, T.
Troubridge, Sir E. T.
Tufnell, H.
Tuite, H. M.
Turnor, C.
Vane, Lord H.
Villiers, hon. C.
Vivian, J. H.
Wall, C. B.
Wallace, R.
Watson, W. H.
Wawn, J. T.
Wemyss, Capt.
White, H.
Whitemore, T.
Williams, W.
Wilshere, W.
Winnington, Sir T. E.
Wood, B.
Wood, G. W.
Worsley, Lord
Wyse, T.
Young, J.

TELLERS.

O'Connell, D.
Barron, Sir H.

Motion for a select committee agreed to.

Customs' Acts—The Tariff—Coals.] The House in committee on the Customs' Acts.

Mr. *Gladstone* proposed, that the duty per ton upon coals, culm, and cinders, in foreign ships, should be 4*s.*; in British ships, not small, 2*s.*; and on small coal or screened, 1*s.*

The *Chancellor of the Exchequer* stated that the noble Viscount (Viscount Howick) was anxious to know the grounds on which the alterations had been effected, and also why 2*s.* were now substituted for what had been originally proposed. The ground on which the alteration was made, was stated very fully by his right hon. Friend in his financial statement. When the duty of 4*s.* a ton was proposed, it was conceived that it could be effected without inconvenience to the trade, and not only without inconvenience to the trade, but with a proportionate degree of advantage to the revenue. It had since appeared that the real state of the coal trade with foreign ports has been this. Foreign nations received coals from this country, partly in order to enable them to carry on certain manufactures in which they were becoming our rivals, and at the same time, they levied on British coals imported into their dominions duties from the payment of which considerable revenue was realised to them; and it appeared to Government that if British coal was essential to foreign countries, and if by abandoning any duties on the exportation of that article, they not only supplied foreign countries with coal, but actually paid a considerable duty upon it to the revenue of these states—under these circumstances, it appeared to Government to be a fair object for consideration, whether they could not themselves derive a revenue from the export of coals, without crippling the trade in that peculiar article. The duty fixed was one of 4*s.* per ton, and the reason for the proposition of that amount of impost was, that in the original arrangements made in the coal duties in 1834, 4*s.* per ton was the duty then fixed upon the exportation of coal in foreign bottoms. It was known to the House, that the duty on coal had not been raised by that means; because, in consequence of reciprocity treaties, which gave to foreign nations the same advantages for their shipping as those possessed by British ships, coal was carried by these foreign vessels on equally advantageous terms, contrary to the intention of Parliament at the time the arrangement with respect to coal was made, but arising from treaties concluded with other nations, but which were not then contemplated by the House, and which were not of a permanent character, but liable to be terminated according to the existing state of commercial relations with the different nations with which they were concluded. Since the period of the recent proposition of Government, it was true that a great variety of statements had been made to the Government with respect to the coal trade, and many circumstances had been detailed into which inquiries had been made, with the view of ascertaining how far the duty originally proposed was one which the coal trade could bear. The result had been, that the proposition which his right hon. Friend had this evening submitted to the House was found to be a proposition which those most interested in the coal trade admitted would not prevent the export of coals to foreign countries in British vessels, but would produce a considerable addition to the revenue, not indeed equal to that expected from the original proposition, but falling not so far short of it as to induce a preference in favour of the duty first proposed. Another consideration which had influenced the Government had arisen from the condition of the steam navigation of the country. It had been represented to the Government by the proprietors of steam vessels, who possessed dépôts of coal in foreign countries, that the imposition of 4*s.* per ton on coal would be a burden which they would be unable to bear, and that if the proposition should be carried into effect, some means must be devised for exempting them from its operation. On further examination of the subject, it appeared that it was impossible to devise satisfactory modes of exempting coals sent to foreign countries for the use of British steamers from the duty, without entering upon arrangements which would very probably be conducive to fraud. It was stated that a consular certificate, on which reliance must be placed, in order to secure repayment, was not to be trusted; that quantities of coals might thus be exported free of duty, and persons would share in these advantages other than those for whose benefit the arrangements were proposed. It therefore became desirable that such a duty should be imposed on coal as might be borne by companies engaged in foreign steam navigation, and the necessity be thus avoided of having recourse to a system of drawback which had at all times been found inconvenient and productive of loss from fraud. What he had stated, was another ground on which Government had adopted the proposition before the House. And now, with respect to the estimated produce of the duties to be imposed. His right hon. Friend at the head of the Government had, on a previous occasion, stated, that he believed that the originally proposed duty would produce a revenue of something less than 200,000*l*. This calculation was made on the supposition that an increase of duty would, on the whole, produce a diminution in the total quantity of coal exported. Now, from information since received, both from foreign ports and from those who were concerned in the trade at home, there was reason to believe that a duty of 2*s*. per ton, which would do no more than equalise the over-sea prices of coal with those in the different ports of this country, would not affect the prices in any European port, so as materially to influence consumption; they might therefore assume that the export of coal in the ensuing year would be much the same as it was during the last; and taking the present rate of duty on coals, an exportation of 45,000 tons would produce 10,000*l*.; an exportation of 960,000 tons of round coal, at 2*s*. per ton, would produce 100,000*l*.; and taking the proportion of small coals as larger than that of last year,—namely, at 475,000 tons, such exportation would produce 30,000*l*., making the whole amount of revenue expected from this source amount to 140,000*l*. This was a reduction of upwards of 60,000*l*. from the gross amount which was expected to have been realised from the duty of 4*s*. on coals, making an allowance of course for some loss which might be sustained on account of the operation of drawbacks and the evasions to which that system often led. The result, therefore, of the measure would undoubtedly be to diminish the expectation of revenue to the extent of between 50,000*l*. and 60,000*l*. But on the other hand, the House would be relieved from all anxiety as to the effect the proposed duties would have upon the exportation of coal to foreign countries. With reference to the general question, he could not but think that the House would agree with him that, possessed as they were of coal superior in quality to that, the produce of foreign countries, and seeing that foreign countries made a revenue on coals exported from this country into their dominions, he could not but believe that the House would agree with him in considering that they were justified in endeavouring to raise a duty from coal which, without affecting the foreign trade in that article, would prove a considerable addition to the revenue of the country.

Mr. *Bell* said, he had entered, and should still enter, his protest—his most decided and unequivocal protest—against the principle of levying any duty whatever on the exportation of coals; but at the same time, after circumstances which had occurred, he was not prepared to offer any opposition to the present proposition of her Majesty's Government. No one was more opposed than he was to anything in the shape of a compromise, where he saw any disposition to take unfair advantages; but with reference to this subject, a negotiation had taken place between the parties most interested, and her Majesty's Government, which negotiation he was happy to say had terminated in her Majesty's Ministers consenting to the present modified proposition, a proposition which he believed had been very generally accepted as satisfactory. On this latter point, he would take the liberty to trouble the House by reading two short resolutions, passed at a meeting held at Newcastle-upon-Tyne on the 4th of June, at which between forty and fifty of the principal representatives of collieries on the Tyne, Wear, and Tees were present. These resolutions set forth—

> "1. That this meeting retain the opinion as to the impolicy and inexpediency of a duty on the export of coals, expressed in their memorial to the Government, and petition to the Legislature, and are convinced that the imposition of any duty must, in proportion to its amount, prejudicially affect the trade, and necessarily prove seriously injurious to the shipping and other interests connected therewith.
>
> 2. That this meeting, therefore, still trust that the Government may, on further consideration, be induced to abandon the imposition of any duty; but on due consideration of the position which the question has now assumed, respectfully submit that no higher duty than 2*s*. per ton on round, and 1*s*. on small coals, (passed through a screen, the bars of which are not more than 5-8ths of an inch asunder), should be levied, and this under the conviction that the effect of such duties on the prosperity of the trade will be carefully watched by the Government; and in the hope that if it should be shown by experience that those duties are prejudicial, they will be repealed."

For his own part, he must say, that the

great anxiety evinced by the right hon. Baronet at the head of the Government to protect every branch of the commercial interests of the country, induced him to form a confident hope that if this duty was found to operate injuriously upon our shipping or mining interests, no delay would occur in introducing a measure for its repeal. He also hoped, that it would not be thought necessary to bring the measure into operation until the latest possible period—say next October—as, if the duty were immediately enforced, he feared it would operate prejudicially to certain interests. However, having said this, he must again express his gratitude to her Majesty's Government for having so far given way, and he felt confident, that their acquiescence in the modifications suggested would be properly appreciated.

Viscount *Howick* had heard with great regret that the hon. Gentleman who had just sat down did not think it necessary to persist in the course of which he had given notice. He regretted this, because he thought that the case which the hon. Gentleman had to offer to the House was so strong, that had it been brought forward, supported as it would have been by many hon. Members on his side of the House, the result would have been that Government would be forced to yield. He regretted the course which had been pursued by the hon. Gentleman too, because, at the request of his hon. Friend the Member for Gateshead, it now devolved on him to state the grounds on which, with regard to the resolution before them, he deemed it necessary to take the sense of the House in opposition to the duties proposed by Government. He regretted the course taken by the hon. Gentleman still more, because it imposed a duty on him which he felt to be most painful, in expressing to the House the opinion which he entertained of the manner in which the negociations alluded to had been carried on between the coal trade and the Government; in which there were grounds for the grave censure of the House. He would state what it was to which he objected. He was quite aware that it was proper and right in all such cases that there should be a communication between Government and those who, being connected with a particular interest affected by their measures, had it in their power to state reasons for the abandonment or modification of measures of taxation proposed. Nothing could be more proper than that such communications should take place. Nothing could be more proper than that a Government, in deference to information and reasoning thus imparted, should consent to modify any proposition submitted to the House. But although such a course of proceeding was quite just and proper, he thought, on the other hand, that it was the duty of a Government to make up its mind, after a careful consideration of facts and arguments, as to what the proper amount of taxation on any given article would be; and having so decided, propose to Parliament that duty which under the circumstances of the case they judged to be a right and proper one, without reference to the conduct of the parties interested. But a Government had no right to say to these parties, "If you will abstain from opposition we will recommend to Parliament a modified and reduced rate of taxation; but if you persist in opposing us—if you endeavour to impede our measures—in that case we will penally visit you by adhering to the original proposal, and by imposing an amount of taxation higher than that which we would otherwise have levied." A Government had no right to do that. It was a great abuse of the power and influence of a Government if it adopted such practices; and he said, therefore, that no independent Member of Parliament was entitled, from a desire to assist an Administration to which he was friendly, or from any other reasons, to aid in carrying on negociations founded upon such principles, far less to make himself the organ of communication intended to bring about such a result, and then to apply this sort of coercion to the interest in question, in order to oblige it to submit. It was contrary to the duty of a Government to adopt such means for the prevention of opposition, and equally contrary for a Member of Parliament to make himself a party towards carrying out any such result. Such were the opinions which he was compelled to express on the subject, and he was sure that those hon. Gentlemen who were acquainted with the manner in which the financial affairs of this country had been administered would agree that the principle which he had laid down was a just one—that to admit the right of Government to use means of the description referred to, in order to avoid opposition, would be a dangerous example—would introduce practices liable to lead to great and most serious abuses—practices against which it was the duty of the House, and of every Member of the House, most decidedly to set his face. He now came to consider how far the proceedings in the present case had been in accordance with the rule which he had laid down; but, before he did so, he must state that he was bound to acknowledge the courtesy which had been shown by the Government, and especially by the right hon. Baronet opposite, to those who waited on them in behalf of the coal trade, and the patience with which the statements had been attended to. But his complaint was of a different nature. He was sorry to trouble the House by reading documents, but, at the same time, on a point of so much importance, he hoped that the House would bear with him if he took the liberty of quoting documents at some length. The first paper with which he would trouble them was a letter from the hon. Gentleman opposite, addressed to the chairman of the committee for the maintenance of the coal trade at Newcastle. He made no apology for reading it, as he did not believe that its contents were meant to be of a private nature. The letter was as follows:—

(Copy) "*Wimpole-street, May* 26, 1842.

"Dear Sir—I hope the information which this letter contains will not be altogether unacceptable to the coal-owners of the north. I have heard to-day, from very good authority (though at present I am not at liberty to mention names), that the Government have shown a disposition to give up 2*s*. of the proposed duty on all coals exported in British vessels, provided such concession on their parts shall have the effect of inducing the coalowners to abandon their threatened opposition to the duty as it now stands in the amended tariff, viz., 4*s*. the ton. on all coals exported in British vessels. I can assure you that it will be satisfactory to me to find that such a proposition is favourably considered by the trade in general, because I have no hesitation in stating to you that the Government is so strong that I despair of carrying the motion of which I have given notice, and I need scarcely tell you that the consequence of my failure will be, that we shall be saddled with the whole duty of 4*s*., as there is no doubt that, after the Government have defeated us, they will be much less likely to make any concession at all than previous to the question being debated in the House.

"I have taken most especial care not to commit the trade in any way in regard to the proposition which I have every reason to believe the Government intends to submit to our consideration.

"I must request that you will lose no time in calling together the representatives of the collieries, and submitting my letter to them, and have the goodness to inform me, as speedily as possible, of the result of the meeting, for which, as so much depends on it, I shall look most anxiously.

"It is, I hope, scarcely necessary for me to add, that I am in the hands of my constituents, and that I am still ready to take any course that they may consider most conducive to their interests. Such is my duty, and I trust I shall never consult my own convenience merely, if I can in any way serve them; and I hope, therefore, that, without subjecting myself to the imputation of abandoning my friends, I may venture again to express the hope that the trade will feel disposed to treat concession on the part of a very powerful Government with due consideration, since I do not see the slightest prospect of their being induced to abandon the proposed duty altogether.

"I beg it may be most distinctly understood, that I have, neither directly nor indirectly, advocated to any Member of the Government, or indeed to any one else, any compromise. The proposition must therefore be considered as emanating from the Government, as far as I am concerned.—Yours, faithfully, always, (Signed) MATTHEW BELL.

"To the Chairman of the United Committee of the Coal Trade, Newcastle-upon-Tyne."

That letter was communicated to the committee of coal trade, and they adopted the following resolutions:—

"Mr. Bell's letter of the 25th instant having been read and attentively considered, on the motion of Mr. J. Lamb, seconded by Mr. Philipson, it was resolved—That this meeting is grateful for the suggested reduction to 2*s*. on coals exported in British ships, and desire to express the high sense they entertain of Mr. Bell's exertions with reference to this question, and the sincere desire they feel to act in accordance with his suggestions. They would also gratefully acknowledge the consideration which the Government has given to the question, and the patient attention with which the Members of it have listened to the facts and statements laid before them on behalf of the trade. That, so far as regards the discriminating duty between British and foreign vessels, this meeting feel it to be a matter of national policy, to be dealt with as Parliament may deem fit. That, strongly convinced that a duty of 2*s*. cannot be imposed without deeply and seriously diminishing the export of coal; and, being confirmed in this opinion by the inquiry and investigation made since the subject first came under discussion, they regret that, consistently with their duty, they are unable to sanction the proposed compromise, feeling convinced that they would only deceive the Government if they held out the expectation that the trade could bear the imposition of a duty of 2*s*."

The Chamber of Commerce at Newcastle adopted a resolution on the 3rd of June, deprecating any duty on the export of coals as being objectionable, not only to the coal trade, but as being prejudicial to the shipping interests at large, and hoping that Government would abandon the proposed duty. Subsequently to this, a meeting was held in London. He might here state that, while the subject was pending, a committee, consisting of Members whose constituents possessed an interest in the coal districts, held meetings in Palace-yard. At a meeting of that committee,

"Mr. Bell having read the resolution of the coal-trade meeting held at Newcastle on Saturday last, Resolved—That Mr. Bell do write by this day's post to the chairman of the coal-trade committee, requesting that a general meeting of the representatives of the coal-trade be summoned to consider of the proposition suggested to reduce the 4*s.* duty on coals exported to 2*s.*"

This meeting was held on the 30th of May. No intimation had then been given that any further modification of the Government plan was contemplated from that which was already known, but on the following morning a notice was issued summoning another meeting. He himself was not present, but he was informed that at the meeting the hon. Member for South Northumberland stated, that Government would propose to modify the proposal still further. [Mr. *Bell*: I only stated my opinion.] After some explanation the following resolution was adopted:—

"Resolved — That this meeting concurring with the views of the coal-trade committee, that it is inexpedient to accept a uniform duty of 2*s.* per ton on all coals exported, are yet of opinion that if the Government will consent to fix the duty of 2*s.* on round and 1*s.* on small coals, it is decidedly to the interest of the coal owners to accept this compromise rather than risk the imposition of the duty originally proposed of 4*s.* per ton."

In consequence of that resolution the hon. Member for South Northumberland wrote again to the chairman of the coal committee in Palace-yard, as follows:—

"*Palace-yard*, 31*st May*, 1842.

"Dear Sir—In consequence of it being necessary to make some alteration in the resolution of yesterday, and which could not be done until a meeting to-day, it was not sent off till this day.

"It having been suggested by Mr. Wood and some others, that if the Government would entertain a proposition from the coal-owners to this effect, that there should be a differential duty of 2*s.* on round, and 1*s.* on small coals, that it would be satisfactory to them, I waited on the gentleman who has hitherto acted between the trade and the Government, when he consented to name the proposition to them. I think it right to add that it is quite impossible I can ask the above gentleman to take any more trouble in this matter; and, therefore, if the meeting of representatives think fit to pass a resolution declining the good offices of the gentleman above referred to, the thing will be at an end, and we must be prepared to fight the battle in the House, where certain defeat awaits us. You will have the goodness to attend to the resolution for convening the meeting of representatives, and will have the goodness likewise to let me know the result, and I can only hope that it will be favourable.—Your obedient servant,

(Signed) "MATTHEW BELL.

"R. W. Brandling, Esq."

On the receipt of these said resolutions they were laid before a general meeting of coal owners in Northumberland. He was informed that at this meeting many of the great coal owners were absent. There were not above thirty-seven present out of the one hundred and forty gentlemen who had a right to sit. The following resolutions were adopted:—

"1. That this meeting retain the opinion as to the impolicy and inexpediency of a duty on the export of coals, expressed in their memorial to the Government and petition to the Legislature; and are convinced that the imposition of any duty must, in proportion to its amount, prejudicially affect the trade, and necessarily prove seriously injurious to the shipping and other interests connected therewith.

2. That this meeting, therefore, still trust that the Government may, on further consideration, be induced to abandon the imposition of any duty. But, on due consideration of the position which the question has now assumed, they respectfully submit that no higher than 2*s.* per ton on round, and 1*s.* on small coals (passed through a screen, the bars of which are not more than 5-8ths of an inch asunder) should be levied; and this, under the conviction that the effect of such duties on the prosperity of the trade will be carefully watched by the Government, and, in the hope, that if it should be shown by experience that those duties are prejudicial, they will be revealed."

These were the only papers which he thought it necessary to read to the House, and he asked all who had listened to his statement, coupled with what had fallen from the hon. Member for South Northumberland, whether the evidence did not substantiate his assertion, that the measures of the coal trade had been abandoned by holding over them the threat, that if they persisted in these measures for organising a resistance to the duty, which it was in their power to adopt,—that if they did not consent to a compromise, the effect would be that Government would propose not a smaller duty of 2*s*., but the higher and the ruinous one of 4*s*. per ton. Under this impression it was not wonderful that parties who felt that the higher duty would be attended with most prejudicial consequences should have made themselves parties to a compromise; but he asked the House if this was a mode of proceeding to which the House would give its sanction? If the Government were of opinion that the duty of 2*s*. on round, and 1*s*. on small coal per ton was as much as could be with safety imposed on a great trade—if this was their deliberate opinion, then they were bound in duty to signify to the gentlemen interested in the trade, that that was the amount of duty which they intended to propose to Parliament, leaving them at liberty to take what course they thought under the circumstances proper, but assuring them at the same time that, whatever that course might be, they (the Government) would not on that account propose a greater duty or a less amount. This was the line of conduct Government should have adopted, but he asked the House, he asked the country, after the speech of the hon. Gentleman the Member for South Northumberland, whether they believed that, were it not for the threats of Government, the coal trade would have abstained from giving their most earnest and serious opposition to a duty which they felt would be so prejudicial to their interests? The inference to be drawn from the speech of the hon. Member for South Northumberland was, that the rate of duty was adopted in a mere haggling spirit, with the view of driving the best bargain with the coal owners, and not on a calm review of all the circumstances attending the change. The Government calculated that on the imposition of the duty there would be no falling off whatever in the trade. If that turned out to be the case, it would furnish a solitary exception to the rule which prevailed in all reductions of taxation. He believed there was no instance of even a moderate duty being imposed which did not more or less limit the consumption, at any rate in the first instance. The right hon. Vice-President of the Board of Trade calculated that on 45,000 tons there would be a revenue of 10,000*l*., or 960,000 tons 100,000*l*., and on 475,000 tons 30,000*l*. The whole trade, then, was assumed to be 1,580,000 tons—within a very small fraction of its present amount. Now, he asked was there any rational ground for this supposition? The duty of 2*s*. on the large coal, and 1*s*. on the small coal might appear to the House a low duty, but taken with reference to the value of the article, it was by no means low. At this moment small coals—and he spoke from information which he had that morning from a gentleman carrying on a large establishment on the Wear—were delivering on the river side of Sunderland at 1*s*. 6*d*. and 2*s*. the ton. Therefore, the export duty proposed was 50 per cent. in some cases, and in others 75 per cent. on the value of the article exported. He thought, too, he could show that the present trade was actually created by the reduction of the duty. Up to 1834 the duty was 3*s*. 4*d*. on large coals, and 2*s*. on small coals. Under that duty the trade had gone on, making a very slight increase indeed. But since that period, from the very date of the repeal of the duty, the trade had received a most extraordinary impetus; springing up largely in the next year, and going on from year to year progressively increasing ever since. The total amount of coals shipped to foreign countries in 1833 was 433,000 tons, and last year it sprung up to 1,500,000 tons. Now, he knew what answer the Government would give to this increase. They would say that it was not attributable so much to the reduction of the duty, as to the great changes which had taken place; to the progress of steam in its application to manufactures and navigation. "True," said Ministers, "the increase on the coal trade was contemporaneous with the reduction of the duty, but there is no evidence that it was caused by that reduction." Now he contended that the increase was directly traceable to the reduction of the duty, and should give the grounds of that opinion. There was exported to France, in 1833, 45,000 tons; but in 1841 that trade had increased to 451,000 tons; that was a tenfold increase in eight years, Now, was it true that that consumption was owing to a generally increased demand for coals, or from the fact that a larger proportion was taken from us, and less from other countries? They had, in an appendix to a report to which he had already alluded, the official returns, showing what the importation of France from different countries had been. He found that the average quantity of coals imported from Belgium in 1832, 1833, and 1834, was 563,291 tons—the importation in the last of these years being 620,000 tons. What was the importation in 1841? Belgium exported to France 614,000 tons; that was to say, the importation from Belgium showed in eight years a very slight increase over the average of the years 1832, 1833, and 1834, and no increase, but a positive diminution as compared with the year 1834. These facts, then, proved to demonstration that the great increase of our export of coal to France had arisen not from increased demand in that country, but from our being able to meet the competition to which we were exposed in France on more advantageous terms than before. We formerly could not undersell the Belgian coals, but we could at present, and the consequence was the great increase in the consumption which he had mentioned; the necessity of dealing cautiously with this interest was shown by the fact, that in many of our most important markets we were exposed to a severe competition. In Holland there was a neck and neck race between our coals and those of foreign countries. In Rotterdam we could undersell the steam coal of the Rhine; but a little up the river we could not, for our expenses increased as those of our competitors diminished. He could state, on the authority of a person sent last year to take orders in Holland, in the usual way, for our coals, that the competition was extremely close; and this assertion was confirmed by a return which had been laid on the Table of the House, and which showed that the export to Holland had fallen off 32,000 tons in 1841 as compared with 1840. In the Mediterranean a competition was also springing up. In the south of France a powerful company was established, which, when the railroad now in progress was opened, could sell coals at Marseilles at a price with which we could hardly compete. If this duty, however, was imposed, it was very questionable whether we should not be driven out of the market altogether. In Russia there was a trade with Belgium growing up, and our export had been diminished. But it was not only by the imposition of a duty that the trade in coals would be diminished, but by the inconvenience to which those engaged in it would be subjected through the regulations necessary for the collection of that duty. No gentleman who paid the most moderate attention to the imposition of a tax affecting trade could be ignorant that it caused more mischief by the regulations which it rendered necessary, and by the restrictions and difficulties which it imposed, than by the mere amount of pecuniary imposition. From the frauds practised in bringing the coals to the ship, it was necessary that a Custom-house officer should be always in attendance. The necessary consequence must be, a great increase in the Custom-house establishment, and, therefore, a reduction in the amount of duty estimated. Again, the ships must be loaded at Custom-house hours. The present practice was to do so at high tide, but this did not occur frequently during the hours of attendance at the Custom-house. He had heard that an order had already been issued, ordering the waggons to be branded which were used in the foreign trade, and directing not only the weight to be carried by them, but the shape in which they should be made. What was the result? That in one large house, employing 1,200 waggons, 800 should be discontinued, at a loss of 22*l.* per waggon. He only instanced this as a sample of the vexatious peoceedings adopted before the duty was imposed at all. But not only was this duty likely to diminish the export trade, but it would increase the price to the home consumer. Instead of the present amount of consumption, if there was a considerable decrease, and that the public establishments were also considerably increased by reason of this tax, he did not think the right hon. Gentleman could reckon safely on more than half of the 140,000*l.* on which he calculated. He did not say that there would be a falling-off, in the first instance, to that extent, but he was persuaded that our competitors would gain such an advantage that they would drive us out of the market, and that none but those most favourably situated for making shipments to foreign countries would be able to sustain the combined burden of the duty and the restrictions necessary to collect it. The manufacturers of Newcastle and Sunderland had memorialized the Government, giving it as their deliberate opinion, that the trade of coal in this country must be diminished by the proposed duty. It was more than probable that foreign countries would not consent to pay the amount of this duty into our exchequer, but would give a preference to our rivals. In conclusion, the noble Lord moved an amendment negativing the proposal of the Government.

Mr. *Hutt* said, that after the speech of the noble Lord who had just addressed the committee, it would be unnecessary for him to trespass at any length upon their attention. In all that the noble Lord had stated in condemnation of the proposed duty on the export of coal, he entirely concurred. It was not true that the coal exported was, to any considerable amount, used for the purpose of carrying on foreign manufactures; in fact, only a very small quantity was so applied. But if the fact were as represented, it would still be impolitic to check the exportation of coal upon such grounds. He thought he had heard Ministers contend that the manufacturing interest ought not to be propped and shored up by legislative means, but should depend upon their own inherent strength. Now, however, a different argument was used, and we were told that it was necessary to check the export of coal because it was useful to foreign manufacturers, and enabled them to compete the more readily with our own. For the same reason, we ought to prevent the exportation of iron, which foreigners made into railways; and above all, of machinery, by which they came into immediate competition with us. If we were to adopt the course proposed with respect to coal, we should, in consistency, apply it to cotton, woollen, and linen-yarn, and, in short, to almost every article we exported, for there were few of which foreigners did not avail themselves for the purpose of improving their manufactures. He much feared that the Government, in the hope of giving an insignificant advantage to the manufacturers of Lancashire, were about to inflict a deep injury upon the counties of Durham and Northumberland. The removal of the duty upon coal, in 1834, gave a great stimulus to the working of coal mines; the imposition of the duty now proposed would have a precisely contrary effect as regarded all the objects which were contemplated by the removal of the duty.

The *Chancellor of the Exchequer* said, that the noble Lord, the Member for Sunderland, was entirely misinformed when he supposed that any threats had been held out to the Government. The facts of the case were simply these:—He received a communication from an individual coal owner, stating that he believed the trade would readily accept a duty of 2*s.* as a satisfactory rate of duty. In reply, he stated, that before he could act upon the communication, it was absolutely necessary that he should know what was the feeling of the gentlemen connected with the trade generally with respect to it. He could distinctly state, that up to Monday last he was not aware what course the hon. Member for South Northumberland intended to take. During Saturday, Sunday, and Monday, he was in constant communication with the Members of the Government as to the course which ought to be pursued on the subject. There had been no compromise of an improper character, and the Government had done no more with reference to this transaction than they were bound to do in all similar cases—namely, to listen respectfully to the statements made to them, and take time to determine upon them.

Viscount *Howick* said, that nothing had fallen from the right hon. Gentleman in the slightest degree inconsistent with what he had stated. He said he did not know whether the Government were to blame or not; but he stated, and he now repeated it, that Gentlemen connected with the coal trade were led to believe that if they abstained from an organised opposition to the measure of Government, and would concur in a modified duty of 2*s.* on round, and 1*s.* on small coal, that would be conceded to them; but that if, on the other hand, they united to resist the imposition of any duty, Government would then carry through Parliament their original proposition of a 4*s.* duty. In his opinion, it was not right and fair to attempt to influence persons engaged in a trade in that manner. There might have been no threats used, but undoubtedly inducements had been held out to the coal owners to abstain from opposition.

Mr. *Liddell* regretted, that the Government should have deemed it advisable to augment the revenue by reviving the duty upon coal. He believed, that a great risk would be incurred of losing the market which we now almost exclusively kept to ourselves, and that the Government, in that event, must be implicated in a most serious responsibility. There were, however, political interests involved as well as mercantile, to all of which it was the bounden duty of a prudent and wise Government to look, and as he had been a party to that arrangement or compromise, in consequence of which the trade had forborne to press its opposition to the proposed duties, he would not support the motion of the noble Lord, satisfied as he was, that should the imposition of the duties now proposed prove injurious to the coal interests of this country, the Government would not hesitate to retrace its steps, and remove the injurious tax. It was very generally believed in the coal districts, that not less than a million tons of small coal yearly were lost to the owners either in the pit or at the pit's mouth. By the transmission and breakage, the coal was rendered so very small that the proprietors allowed any one to take it away as being nearly valueless, thus conferring a great advantage upon the local poor; and even upon the arrival of the coal in London or other ports, there was so great a proportion of it reduced to small coal, that the smith and artisan could obtain a supply of it at 7*s.* a ton, or nearly 3*s.* less than the price of the freight. Considering the importance of the trade in a national point of view, the enormous capital employed in coal mines, the thousands that were supported by their labour in these mines, and the nursery for able seamen which its conveyance to distant ports afforded to the country in a period of danger, he confessed he was still disposed to look with great anxiety to the results of this financial experiment of the Government. Let the right hon. Gentleman recollect, that should this country once lose the coal market in foreign countries, we should be driven out of the field by foreigners, and the market might never be recalled. Under such circumstances, he trusted the Government would pay great attention to the operation of the duties upon the coal-trade of the country, and hasten to its relief from the pressure of those duties if it was proved by experience that the trade could not bear these imposts.

Mr. *Bernal* said, the price of English coal at Antwerp had for some time been declining. Indeed, it had fallen already so low, that it was generally feared there that we could not much longer compete with the mines of Belgium, and those of the south of France. The French Government, by an ordonnance, had rendered it nearly impossible that we should ever have it in our power to supply coal for French ships of war. He reminded the right hon. Gentleman, that in re-imposing a tax taken off in 1834, the Government was incurring a serious responsibility, inasmuch as it might prove an insuperable impediment to the prosecution of a trade in which great capital was embarked; and still higher national and maritime interests involved; since, in the case of war breaking out, any falling-off in the nursery of seamen, through the medium of the coal-trade, would deprive us of that ready supply of hardy sailors which this trade had, in all former wars, contributed to the defence of our seagirt isles.

Mr. *Gladstone* trusted, that the ruinous consequences would not ensue which Gentlemen connected with the coal districts had predicted from this measure. If the predictions of Gentlemen personally interested were taken as good authority, not one of the changes proposed in the import duties would have been carried. There was hardly a single case in which parties had not stated, and he believed conscientiously, that ruin, desolation, and he knew not what bad consequences would ensue. When direct taxation was proposed, strong objections were made to it, and then, when a proposition for indirect taxation was brought forward, arguments were adduced, that by taxing articles of consumption, trade was diminished, labourers thrown out of employment, and persons connected with the article taxed, ruined. It was, therefore, not to these general objections made in the case of every article, they should apply their consideration. What they should consider was, whether the particular objections raised were sufficiently strong to induce them to reject the measure of his right hon. Friend. He admitted there were disadvantages as well as advantages; but taking it as a question of revenue, his right hon. Friend expected to raise a sum of from 130,000*l.* to 140,000*l.* by the duty. He believed, that the sum could be raised in no less objectionable a way, and that no tax could be more fair. As to the political consequences which seemed to be apprehended from the measure, he would submit, that if thi country, by her superior natural advantages, could afford to supply coal on such terms as to make it for the advantage of foreign countries, to buy it in preference to the coal of other places, these foreign countries had no reason to complain of a duty placed on the exportation of the article, not intended to put a stop to the trade. An analogous case existed in the case of copper, in which this country availed herself of her natural advantages, and of her facilities for smelting. It was proposed to avail ourselves of our natural advantages as to coal, and to make the wealth which was given us subserve the interest of the country, not only in the way of trade, but of revenue. He must deny the assertion of the noble Lord, the Member for Sunderland, that the duty proposed would raise the price of coal. On the contrary, it would tend to lower the price to the consumer in this country. The freight to places over sea was frequently much less than that to London and places on the British coast. If the objections of the noble Lord as to the restrictions upon trade which the measure would produce, were well founded, then these restrictions must have the effect of throwing the article on the home market, and reducing the price to the consumer. But the chief grounds on which the duty was proposed being that of revenue, he would not say, that any great reduction in the price was to be expected, for he did not think, that the measure would cause any perceptible diminution in the foreign trade. The noble Lord argued as if the proposed duty was a tax of 50 to 75 per cent. on the small coal, and 25 to 35 on the larger kind. The fair way, however, to estimate the duty was not by the price in England, but by the price paid by the foreigner; and the duty proposed would be practically one of rather less than more than 10 per cent. on the price paid by the foreign consumer. Coal was sent from this country to twenty-five or thirty places abroad, and was it probable, that so small a duty would check the demand for coal? The only way in which this question could be fairly considered was, by balancing the probability of what would be the best on the whole. A person connected with the coal trade, and of much experience, wrote from Havre to say, that so far as that port was concerned, a duty of 4*s.* would operate injuriously on the trade; but the same party, without knowing anything of the intention of Government, said, of his own free motion, that a duty of 2*s.* could, in consequence of the superior quality of British coal, be borne by it without injury in its competition with the Belgian article; for it was in the quality, not in the price, that British coal had the advantage, Belgian being offered at the same price. The 2*s.* duty was adopted as a medium. In Denmark there was an increased demand for our coal. The export to that country was 150,000 tons in the last year; and they were told, that with respect to that country, a duty even of 4*s.* could be borne without fear from foreign competition. There might, he admitted, be some diminution in the export to Holland. That was the most unfavourable case connected with the question, and the duty might certainly have the effect of bringing German coal a little farther on, and keeping British coal a little backward, as respected the markets of that country. But, even in that most unfavourable case, the diminution would not be considerable, while in the case of Denmark a duty of 4*s.* might be levied without any diminution being caused. The noble Lord said, that the estimate of the revenue he expected from the duty was extravagant. Now, it was possible that some deductions might be made for particular cases; but his right hon. Friend's estimate was most moderate, for his right hon. Friend calculated that the quantity of small coal exported, and which would pay the smaller duty of 1*s.* per ton, was in the proportion of two-thirds to the larger kind, on which a duty of 2*s.* would be levied; whereas gentlemen connected with the coal trade gave, in one case, one-fifth, in others, one-sixth, as the proportion which the smaller coal bore. Now, assuming the proportion borne by the smaller description of coal exported to be one-sixth, his right hon. Friend estimated the quantity paying the smaller duty at twice more than would be the amount. Looking, therefore, at the fears and apprehensions expressed with regard to the operation of these duties, he did not see any generic difference between them and the objections made, by some class of persons, to other proposed changes. He would remind hon. Gentlemen, in conclusion, that in no case had the coal-trade stepped in and objected to the tax, on the ground that it would interfere with them in carrying on their trade. Dangers of this kind were not anticipated by those most interested, and he must therefore suppose them to have been suggested by the lively imaginations of some hon. Members. He trusted, therefore, that considering the accounts received from parties in places where difficulty was most apprehended, the House would consider that there was nothing in the circumstances of the case to induce them to refuse the Treasury that aid, arising from a duty on coal, on the exportation of which the proposition of the Government was mainly founded.

Mr. *H. Lambton* did not agree with his noble Friend (Viscount Howick) in the censure he had passed on the Government and the hon. Member for South Northumberland, for what they had done with regard to the compromise. It was very natural and proper that a Government should find out if certain modifications would be attended to by the great parties interested; and he must say, that the hon. Member for Northumberland (Mr. Bell) deserved praise for all his exertions. He did not agree with the hon. Member in his conclusions as to not opposing this modified duty; but he gave him full credit for all he had done on this subject. He felt himself called upon to oppose even this modified duty; because he thought it would endanger and injure all those great interests concerned and connected with this trade, and also because he thought the duty calculated to obstruct and injure that commercial policy which this country was seeking to adopt. The great interests concerned were the coal-owners, the ship-owners, the manufacturers of Newcastle, and the two great companies—the Steam Navigation Company, and the Continental Gas Company, who, with a combined capital of 2,000,000*l*. (part of which had been invested on the faith of the repeal of this coal duty) had entered into important contracts upon the same faith. Now, he contended, that in Holland and France, the two greatest important countries of our coal, the prices of our coal and that of other countries competed most closely with each other, and that the prices ran a neck and neck race. Holland did not use our coal for any of those manufactures whose rivalship we had any reason to fear. She used our coal for house and gas purposes, distilleries, and sugar refineries. He called upon the House to observe here the inconsistency of the Government. The right hon. Baronet (Sir R. Peel) had stated this when introducing the first mention of the coal duty:—

> "I think that a tax levied on an article produced in this country—an element of manufactures—necessary to manufactures—contributing, by its export, to increase the competition with our manufactures—I think that such a tax is a legitimate source of revenue."

"Now, how stood the fact? Why, in none of those manufactures on the continent, whose rivalship we have any reason to fear, do they use one ton of our coal, except at Roden. But they do use many important articles from this country. Our English mechanics go abroad and are employed in many of them. We send our machinery and mill-work, our iron and steel, wrought and unwrought, our wool, woollen and worsted yarn, and cotton twist and yarn. Now, all these articles, foreign manufacturers, whose rivalship we do fear, use to a great extent. We did not tax these, but we taxed the coal which they do not use. Again, observe another inconsistency, more baneful and injurious in its effects. At this moment, we are endeavouring to form commercial treaties with foreign nations on the principal of reciprocal benefit of free-trade. Our foreign Minister, our Commissioners and Ambassadors, are straining every nerve to attain this object. Our tariff carries with it the great principle of the relaxation of present duties, and buying in the cheapest markets. Now this coal duty was a direct violation of this principle, and was clearly calculated to irritate foreign Governments and strengthen them in any wish they may have to legislate on the protective and prohibitory principle. This, it seems, will be peculiarly the case with regard to France. The right hon. Baronet in his great financial statement said, that the Government was anxious to form a commercial treaty with France, "founded on principles of reciprocal benefit"—that the present was "the opportunity of materially benefitting the trade and industry of both countries by relaxation of present duties: would the prejudices of the French people admit of it, the benefit resulting to one country would react beneficially on the other to an extent not to be estimated. Was this coal duty he asked, "founded on principles of reciprocal benefit?" Was it a specimen of "the relaxation of present duties"—and was it the way to remove the "prejudices of the French people?" He thought not; and to shew how right he was in saying this coal duty would have the effect of irritating the French government and people, and of strengthening them in any wish they had to legislate on the restrictive and prohibitory principle, he would cite the observations made, only a few days ago, in the French Chamber of Peers by M. Ferrier. M. Ferrier taunted England with her want of sincerity on the subject of free-trade, and cited this coal duty as a proof. He said this coal duty will strike peculiarly at France, and he asked why at the moment we were proposing the coal duty, we said we were favouring foreign competition; and he went on in these words:—

> "Why did Sir Robert Peel, the organ of England, add that in the English tariff there was no article upon which the importation of a tax was more legitimate. I can readily yield to him the principle. It amounts to this, that England would take away, if she could, all means of competition from other nations; but surely it is pushing it very far to apply it to coal, in which she is so rich, and I feel justified in asking what connection there is between the freedom of commerce, the principle of which is to favour competition, and this new tax on coal proclaimed so legitimate, solely because it obstructs? I will ask this question, especially of that Member of the British Parliament, who last week implored the Government to extend more and more those liberal principles which characterise the new commercial policy. Certainly, the moment to utter this would be badly chosen if the orator were to offer it when the coal duty was proposed."

This shewed how just his assertion was, that this coal duty was calculated to irritate other powers and strengthen any wish that might exist to legislate on restrictive and prohibitory principles: it distinctly armed foreign governments with an excuse. The hon. Member proceeded to state the prices of Belgian and French coal at Rouen, and cited a letter from the agent of a noble Lord to shew that the prices of the coal of the two countries were at this moment competing so closely that any duty was likely to throw the balance completely in favour of Belgium: he quoted the prices of English and Asturias coal at Bordeaux, and laid great stress on the prices of French and English coal at Marseilles. The English and the St. Etienne coal were exactly the same in the Marseilles market; and there was a large splendid coal field called "The Grande Combe," which was now beginning to be worked by a Company, with Baron Rothschild at its head; and there was no doubt that this coal would undersell the English coal in the Marseilles market without any duty whatever. He concluded by saying he had proved by facts and figures, that could not be gainsaid, that the prices of English and foreign coal closely competed—ran a neck and neck race—with each other in Holland and France—that in none of those continental manufactures on the continent, whose rivalship we had reason to fear, did they use any of our coal; and that this duty was pernicious in its principle, and calculated to obstruct and injure the commercial policy of this country was anxious to adopt.

Mr. *Bell* said, that on every step which he had felt it his duty to take with reference to the coal trade, he had made it a rule to consult the wishes and the feelings of the trade—in everything that related to their interests he had always acted with their full sanction and concurrence. A noble Lord on the other side of the House had insinuated that he had sacrificed the interests of those whose interests he was sent there to protect—that he had sacrificed those interests to the wish which he entertained of giving the fullest support in his power to the present Advisers of the Crown. The insinuation thus conveyed was utterly unfounded—there could not be a more groundless insinuation, and he wished to take the earliest opportunity of repelling it. He was not the man who would ever think of sacrificing the interests of those whom he represented to serve the purposes of any Government that ever existed. But, though incapable of anything of that sort, he still could not refuse to do an act of justice to the Administration, and justice required of him to say that in this matter no blame could attach to the Government; the course which they took throughout the whole of these proceedings was straightforward and candid.

Viscount *Mahon* said, that in so extensive and important a series of changes as the tariff embraced, it was not to be expected that all cases would be free from doubt and migivings; he did not pretend that his own mind had always been free from them; but if there were one article beyond every other respecting which no shadow of doubt or hesitation had ever crossed his mind, he should say, that that article was the coal duty. In support of the view which he took of this subject, he desired to call the attention of the House to that which formed rather a remarkable circumstance connected with the proposed duty—and, as he conceived, a strong additional argument in its support. It was well worthy of especial notice, that the calculations of the man of science should have gone to support and strengthen the decisions of the statesman without their having held any personal communication on the subject. While his right hon Friend at the head of her Majesty's Government, was maturing the tariff now before the

House, Dr. Buckland, the president of the Geological Society, delivered an anniversary address to the body of which he was the head. That address was read on the 19th of February, and he (Lord Mahon) now held it in his hand. In the course of his remarks the learned president said, that British coals were used for the purpose of working the machinery of foreign manufactories, which in certain cases could scarcely be worked without a supply of Bristish coals. In the year 1839, 1,431,861 tons were exported, and in 1840, 1,592,283 tons, of which nearly one-fourth went to France. Dr. Buckland further observed, that an increased duty on coals exported to any country excepting our own dependencies might be beneficial. Besides the testimony of Dr. Buckland in support of the proposition of her Majesty's Government, some valuable evidence as to the probable supply of coal in the northern districts was given before a committee of the House which sat in 1830. In that evidence were stated the number and extent of all the principal coal-beds. It set forth, that those in Northumberland and Durham are known, and it has been calculated that the coal in these counties will last 360 years. Mr. Bailey, in his *Survey of Durham*, states that one-third of the coal being already got, the coal districts will be exhausted in 200 years. It is stated as probable, that many beds of inferior coal, which are now neglected, may in future be worked; but the consumption of coal being greatly increased since Mr. Bailey published his *Survey of Durham*, we may admit his calculation to be an approximation to the truth, and that the coal of Northumberland and Durham will be exhausted in a period not greatly exceeding 200 years. This opinion rested on the high authority of Mr. Bakewell. Another eminent geologist was asked this question (May 6, 1830)—

"What do you think of the policy of permitting the exportation of coals to foreign ports from Newcastle?" and his answer is, "It is permitting foreigners to consume the vitals of our own posterity."

[An hon. *Member:* The supply of coal will last 1,700 years.] That was the statement of Mr. Thompson; but other testimony contradicted his; he was contradicted by Dr. Buckland, Mr. Bailey, and by Mr. Bakewell. The complaint of Dr. Buckland against the waste of coal committed by the owners was well known. That learned person wrote in these terms:—

"The wanton waste which for more than fifty years has been committed by the coal-owners near Newcastle, by screening and burning annually in never-extinguished fiery heaps at the pit's mouth more than 1,000,000 chaldrons of excellent small coal, being nearly one-third of the entire produce of the best coal mines in England,—this criminal destruction of the elements of our national industry, which is accelerating by one-third the not very distant period when these mines will be exhausted, is perpetrated by the colliers for the purpose of selling the remaining two-thirds at a greater profit than they would derive from the sale of the entire bulk unscreened to the coal merchant."

Surely, the fact that above 1,000,000 of chaldrons of excellent coal is yearly destroyed, to enhance the price of the rest, was no light matter. It should make the House receive with some distrust and suspicion the statements of the coal-owners, by whom that destruction was wrought. He (Lord Mahon) did not say, that we were to carry our care for our posterity, so far as to prohibit the present export of coal. Nor should we prohibit it, even for the more pressing and immediate consideration that we are thereby affording aliments to foreign industry at the expense of our own. But he (Lord Mahon) was prepared to contend, that as the export of coal was thus proved to be attended both with prospective hazard and present manufacturing loss; it was only fair, that the State should receive some commensurate advantage by the imposition of a moderate duty, and the receipt of an increased revenue. For the reasons, that he had stated, and upon the evidence which he had laid before the House, he would most cordially give his support to the proposition of her Majesty's Government.

Mr. *F. T. Baring* could not do less than thank the noble Lord for the admission which the House had just heard. The noble Lord admitted, that the effect of the tax would be to check the exportation of coals. Her Majesty's Government maintained, that the export of coals would not be diminished by the duty, while the noble Lord held that to continue the export would be preying upon the vitals of our posterity. There had been some reference made to a compromise between the coalowners and the Government. He understood that there was a proposition to this effect:—

"If you will take 2*s*., and withdraw your opposition, you shall have it; if not, you shall have the 4*s*."

And according to the hon. Member for

Durham, the coal-owners had shaped their course under the idea that such a proposition had emanated from the Government; but the right hon. Gentleman had told the committee that it had not. Who the third party was he would not evince the bad taste to inquire; but the right hon. Gentleman was mistaken if he supposed that he had no curiosity to know whether or not the person was a Member of the Government, or connected with it, who not only made the declaration as if it came from the Government, but likewise when the parties concerned made a counter proposition, he, or some one connected with the Government communicated that proceeding to her Majesty's Ministers. In what other way except through that individual the Government got acquainted with the matter he could not say. The right hon. Gentleman, the Vice-President of the Board of Trade, went only on the principle of raising money, and whatever disadvantages might result from his scheme, he considered of trifling consequence compared to the one object of increasing the revenue. But what amount of revenue was expected from this source? Not more, according to the calculations he had made, than 135,000*l.*, and if the 12,000*l.* now received for coals, which sum the right hon. Gentleman had not taken into consideration, were deducted, there would remain not more, in fact, than 123,000*l.*, supposing that there should be no diminution of the exports. That was the whole grand sum to be derived by the right hon. Gentleman from this department of financial income. He conceded that the present proposition was infinitely better than the original one, but he disagreed with the right hon. Gentleman in his declaration that it would not affect the export of coal. In some instances, the right hon. Gentleman had told the committee, that an addition of 5 per cent had produced a great diminution of consumption and trade; here they were going to put on 50 per cent, and yet it was said, that no effect of that kind would follow. That was blowing hot and cold. The information derived from coalowners was looked upon with suspicion; it was not to be relied upon, because it came from those parties. But he would ask, what better source of information was open to the Government? There were complaints from all sides; and he must say, that he viewed this proposition with some alarm, even though by some happy accident, and for some inexplicable reason, some of those who did not approve of the proposition would yet, and that without any compromise of course, vote in support of the right hon. Gentleman. What had been the effect of the last alteration of the tariff upon this subject? The exports of coals had trebled. But not only that, there was another important point to be considered. What would be the effect of this duty upon the shipping interest? From a return which the right hon. Gentleman had moved for in one of his happier moments, he found that in 1833, the number of vessels employed in the coal trade was 1,462, the tonnage being 260,000; and at the present time, there were 5,031 vessels, of 732,000 tons. Such was the increase in the number of vessels with their crews which had obtained employment in consequence of the former alteration of the law—an increase of employment which must be most important to the commercial marine and maritime force of the country, an interest with which they were about to trifle for the sake of 123,000*l.* a-year. The coal trade between London and the coal districts had always been considered as one of the best resources for supplying our navy, and would they ruin that nursery for sailors for 100,000*l.* a-year—for he ventured to predict, that they would not get more? He knew that it was said this was a duty of which foreigners had no right to complain; but they would quote that argument against us when we came to deal with them upon articles of importance to us. He should give his strenuous opposition to the proposition.

Sir *R. Peel* said, the prevailing feeling on my mind in the course of this debate has been one of unmixed satisfaction that I have secured the Income-tax; for what would have been the position of the Government, since so great an opposition is made to this duty on coal, if we had proposed to raise three millions by taxes on articles of consumption? That was the alternative which the noble Lord (Lord J. Russell) pointed to in his memorable resolution on the Income-tax, in which he tried to gather as many followers as possible under his banner. The noble Lord stated, that up to the year 1836, twenty-three millions of taxes had been repealed, and if he did not directly say, "Levy some of those taxes again," the meaning of the reference was, that it would be much better to revive some of them than to have recourse to a direct Income-tax. Suppose I had been credulous on this subject. Suppose I had said I had better give up the Income-tax, and try my hand at the revival of taxes on consumption. Why the tax on coal was one which was repealed, and certainly the opposition which has been shown to my raising 130,000*l.* out of four millions by means of it, makes me rejoice that the Income-tax is beyond the grasp of that opposition. When I see the right hon. Gentleman warmed to such a degree on this point, what would he have been if I had attempted to raise the amount of revenue indirectly. He says, that the proposition, as it at present stands, is infinitely better than the original one. If so, it cannot be bad. That which is not bad must be on the road to perfection. Here is a proposition supported by the coal trade, not universally, perhaps, but pretty generally. [Viscount *Howick*: A large body opposed it.] When a public meeting is called, and agrees that a duty of 1*s*. on small coal, and 2*s*. on other coal, is satisfactory to them, it may be taken as their meaning, that the proposition is not so bad, and they are ready to support it. It being desirable to supply a deficiency, and being in want of revenue, we make this proposition. Compare it with any other indirect taxation. The right hon. Gentleman himself says, that our proposition is infinitely better than the other; and we have the consent of the parties interested. Then, as to the compromise which has been spoken of, and which I really thought the right hon. Gentleman was going to refer to the committee of inquiry—so little was I aware of any compromise, that on Saturday I met my right hon. Friends at the Board of Trade to consider the whole coal trade, to examine the information received from foreign consuls, from gas companies, and steam navigation companies, and I did not then understand that I was a party to any compromise. I thought myself then as free to propose any duty I might think fit as on the first day of the Session. I did not know in what manner the parties to this resolution meant to vote, nor did I feel myself bound as to the course I should pursue. I can believe that the coal-owners might ask what progress the Government had made in the tariff—that they would find that it had adhered to and carried all its propositions by large majorities—that they might ask if it adhered to the 4*s*. duty on coal, would that not be carried too? And they might state that they thought a 2*s*. duty might be accepted, as it would not check the export. I can believe that they would not imagine that the Government would abandon the coal duty altogether; but would, on the 19th head of the tariff, adhere to its original proposition in the same manner as it had done in the eighteen others. It would be a great reflection on their understandings had I thought otherwise. I was no party to any compromise; but supposing I had been, we were acting for great interests; and were we to be deprived of the privilege of obtaining information? Has not the right hon. Gentleman himself tried to ascertain what propositions would be palatable to certain parties? In the timber duties I entered into a compromise with the hon. Member for Lambeth. I heard what the custom-officers could state; and I did infer, that if his proposition did not cause a loss of revenue, that it would not be met by violent opposition. Is this improper? There is no use in seeing deputations, if we cannot say to the parties making a new proposition, "How many of you agree in this? and if we accede to it, do you withdraw your opposition?" I saw the noble Lord (Lord Howick) and the Member for Southwark on this subject. Suppose they had said we think a 4*s*. duty too much, and that 2*s*. 6*d*. is enough. I should have asked what were the opinions of other parties. And he would have told me the opinion of the trade. These negotiations are essential to settle taxes concerning commerce. What took place last night? The noble Lord, the Member for Liverpool, had given notice that he should move, that the duty on what is called naturalised coffee should be 6*d*.; we had consultations on the subject, and we did not accede to his proposal, and, without a single minute's notice, he altered his proposition to 7*d*., only 1*d*. less than the duty on foreign coffee. It appears, that in the course of the debate, the noble Lord (Lord Howick) went over to my noble Friend, (Viscount Sandon), and said, that he would vote for a duty of 7*d*., but he could not vote for a duty of 6*d*. We never heard of this—the noble Lord made a compromise in coffee, but he would have no compromise on coals. When we determined on proposing a different duty on coal, I immediately came down to the

House, and gave notice of it. The Government would be subjected to nightly defeats, if Members gave notice of one motion, and then confederated for the purpose of making another. All the negotiations on the coal duties were published in the Newcastle papers, all persons interested were consulted, and this is the concealment which it is said we have practised. I never made any compromise. Yesterday I was at liberty to make any proposition, and I can prove by written documents, that I did not know how my hon. Friend intended to vote. I now come to the question itself. We must never lose sight of the deficiency of revenue, and we have imposed a duty on an article which we think is fairly subject to it. It is an article not capable of reproduction; one which this country possesses in greater abundance than any other. I do not say that in order to suppress foreign manufacture, the export should be checked, but that having a great natural advantage in the possession of this article, do not let us lose the opportunity of raising some revenue from it. The right hon. Gentleman (Mr. Baring) has referred to the argument I used against his 5 per cent. duties, and he makes a confident prediction that this duty will greatly prevent the export of coals. I will tell him the reasons why I think it will not. The export of coals was, in the year 1836, 916,000 tons; and in 1838, it amounted to 1,313,300 tons. This is a strong indication that the article would bear a small duty, and I doubt whether a 2*s.* and 1*s.* duty will have any effect in reducing the exports. Every town on the continent is now or about to be lighted with coal gas, and the English coal is peculiarly adapted for that purpose. It was Mr. Warburton's opinion (and I suppose his opinion still has some weight in the House) that it was not expedient to export coal too freely; and Dr. Buckland participates in that opinion. This coal is peculiarly adapted for foreign manufactures, for lighting with gas and for steam navigation. It is said that foreign countries will be indignant at our levying this duty. Our position is a peculiar one; we freely furnish foreign countries with our coal, and when they have it they extract as much revenue as possible from it. I will read to the House an account of the duties they levy on coals.

THE IMPORT DUTY ON COALS INTO

	s.	*d.*
France—Mediterranean ports and to Oleron,		
French vessels	2	6
Foreign	6	5
From Oleron to Dunkirk,		
French vessels	4	0
Foreign	8	0
Holland	6	10
Belgium—From France	1	9
Other countries	11	8
United States	6	8
Brazil	8	0
Denmark	3	0
Sweden	2	0
Prussia	3	0
Hamburgh	1½ per cent. *ad valorem*	
Russia	Free	

I do not think then that ours is a very extravagant proposition, when it is considered, that upon all exported coal, foreign countries have the whole advantage, and take all the revenue. Every country feels the advantage to be so great, as not only to take the coal, but to levy a revenue on it. This is not an article of human industry, like silk—the supply is limited, and is it unreasonable that when other countries consider it a subject of revenue that we should partake in it? There may be coal mines in Belgium, but take a geological map of Germany and France, and compare the carboniferous strata of France and England. There is not a single mine in the northern and western districts of France, and in the whole superficial surface only a two-hundredth part contains strata, while in England, one-twentieth does. In the south of France there are small coal mines, and great alarm has been experienced lest they should be worked; but even if they were, I should not think it a misfortune, for, in the greater part of France, the supply must be derived from this country. In Nantes, where there is a very heavy import duty, the whole of the coal which is consumed comes from this country. Supposing that an import duty of 8*s.* was levied in France, I do not think that country could be jealous of our laying a 2*s.* duty on the export. I cannot see the injustice or unreasonableness of such a proposition. With respect to there being a difference in the price charged in the small coal, purchased for domestic manufactures and for export, if you go to the coal pits you are asked the purpose for which it is required, and 2*s.* a ton more is charged for that which is used for domestic purposes. I will now read to the House a letter which I have recently received on this subject from a person engaged in the coal trade. ["Name, name."] I can assure hon. Gentlemen that this is a *bona fide* letter; but I hope I shall not be called upon to subject the party to injury by a disclosure of his name. The right hon. Baronet then read a letter to the following effect:—

> "I this morning received your letter, and I have no objection to these facts being made known. The coal-owners of Newcastle and Durham have refused to sell me small coals, except for exportation, and a short time since certain parties refused to send me 200 tons of small coals unless they were screened before shipping, it being alleged that it was contrary to their custom to do so."

There certainly are mysteries in the coal trade which I cannot pretend to develope, there is something in its regulations which I confess I cannot understand; but, certainly, there is a general impression among the manufacturers in this country that a higher price is demanded for small coals, if intended to be used for domestic manufactures than if intended for exportation, making full allowance for the increased labour in washing and screening them. I speak of coals of the same quality. Now it seems to me that that is a rather unfair disadvantage to which our manufacturers are subject. I cannot speak positively of the effect of this proposed export duty; but I think at all events that any regulations must be defective which would subject our domestic manufacturers to disadvantage as compared with foreign manufacturers. I will not trouble the House with minute calculations at this late hour. No duty can be imposed on any article without subjecting trade to some inconvenience; but I trust that under the peculiar difficulties of the present time, seeing the great financial exertion which the House has been called upon to make, recollecting that this is a duty which is levied by every foreign country, and bearing also in mind that our proposal is supported by a large majority of the coal owners, I hope the House will sanction our amended proposal, and not compel us to forego that financial supply which we hope to derive from a moderate duty on coals—a duty which we trust will not have the effect of injuring either the shipping or the commercial interests of this country.

Mr. *Hume* was not surprised to find that this duty had been suggested by Dr. Buckland. He thought the suggestion must have been made by some one entirely unacquainted with trade; for the duty proceeded on a principle which was quite contrary to the true commercial policy of this country. Nay, it was contrary to the very principles which the right hon. Baronet had announced in his financial exposition at the beginning of the Session. It was a proposition to limit the market for a product which we had in great abundance, and which we could not use ourselves, and his objection to the proposition was, that, as the right hon. Baronet had himself admitted, we ought to find as extensive a market for our products as we could, and that it was contrary to every principle which had been laid down by the soundest writers on political economy to lay a duty on exports, except in cases of articles of which we had a complete monopoly. We had coal in common with Belgium, and if we levied a duty of 3*s*. 4*d*. a ton on the exportation of coals we could not compete with Belgian coal in supplying France; but the moment the duty was taken off we outstripped the Belgians, and the supply to France from Belgium had been declining ever since. The House was justified, therefore, in anticipating that the moment they laid on this duty the exportation would begin to fall off. He protested against thus reversing the principle on which the right hon. Baronet had commenced his financial career. No measure of the late Whig Government had given so much satisfaction on the continent as their removal of the duty on coals, and all the credit this country then obtained she would now lose by this measure. The French considered that this duty was levelled at them. When, in 1834, we took off our export duty, they immediately reduced their import duty. In 1834, when the duty was taken off, they imported 59,000 tons, and the quantity had gone on gradually increasing until last year it amounted to 451,000 tons. The measure of the right hon. Baronet would have the effect of irritating other nations from whom we expected that commerce which could alone relieve the existing distress. Of course, if the export of coal were lessened, our commercial intercourse with other countries would be lessened also. He should oppose the tax, and he regretted that the coal-owners should have entered into any compromise with the Government on the subject.

Mr. *Hodgson Hinde* said, the interest which he represented had accepted the Government proposition as a compromise, pursuant to resolutions adopted at a public meeting of coal owners. Although he should not now oppose the proposition of the right hon. Baronet, he begged at the same time to guard himself and others against being supposed to approve of it. In the first instance he had contemplated a decided opposition, and an hon. Friend of his had put a notice to that effect on the paper; but when they found, that they were not likely to have the support they had calculated upon, they thought it better to agree to the compromise.

Lord *J. Russell* was anxious to say a few words before the House went to a division, especially as he could not concur in what the noble Lord the Member for Sunderland, and the hon. Member for Portsmouth, had stated as the reasons for the vote they intended to give on this question. Before he gave his vote, he must allude to the speech of the right hon. Baronet, in which he alluded to the difficulties he would have had, if he had proposed taxes on consumption, instead of the tax he had proposed. The right hon. Gentleman was now proposing a tax of which it was said, that it would tend to the destruction of the trade in the article. The basis of the whole proposition he had formerly made to the House, was founded on an increase of trade in the articles of corn and sugar. Therefore, on the whole foundation of taxation, he entirely differed from the right hon. Gentleman. With respect to the question before the House, if the question were entirely to be decided on principles of trade—if they were now discussing whether it were desirable to prevent the exportation of coal for the sake of remote posterity, or to prevent the manufacturers of foreign countries having the advantage of our coal to work their manufactories, he could not assent to the proposition before the House. But the right hon. Gentleman, the Vice President of the Board of Trade, had stated at once, that the object was to obtain revenue. In the present state of the finances of the country, he must consider, whether this tax was one so objectionable in its nature, that he was bound to vote against it. It was said, that the trade would be destroyed by this tax; if the trade were destroyed, the revenue would not be obtained. The same arguments which would go to show, that the trade would be destroyed, would prove the measure a failure with respect to revenue. He did not think that case made out. He did not think, that a trade which had been increasing since 1834, was likely to be destroyed by the proposition before the House. It might be, that a duty of 4*s.* would inflict a serious injury. The statement made was, that this tax was a a tax of 25 per cent. on round coal, and a much higher tax on small coal; but he did not think, that that was a just computation on the amount of the tax. But he took it as the article would be received without any duty at Marseilles and Amsterdam—at Marseilles at 22*s.* per ton, and at Amsterdam at 23*s.* per ton; that according to this computation, the addition of 2*s.* duty would make 9 to 10 per cent. addition on the article; and he did not see, that that increase of duty would be destructive to the trade. At that time of the night he would not enter into the prices of coal, but from 1837, in Denmark, Germany, Prussia, Holland, and France, there had been a great increase in this trade. That being the case, he was of opinion, that the revenue proposed would be obtained, and he thought he should not be justified in depriving the Government of 140,000*l.* of revenue, if it could be obtained without injury. He regretted, that the coal-owners of the north had been met with the threat, that if they did not take 2*s.* duty, they should have the 4*s.* duty imposed. The hon. Member for Montrose had said, that this duty would be an injury to France; but France had an easy mode of redressing herself by taking off the import duties. There were many other countries besides France to take our coal, and use it for the various purposes of steam power in towns. They must consider, likewise, that the seams of coal on the continent were so far removed from any seaport, that although they excluded English coal from the manufactories in their neighbourhood, they could not well compete with us in coal to be sent to places by sea. For these reasons, therefore, he was not prepared to give his vote against the proposition of the Government, and he trusted the trade would not be seriously injured thereby.

Mr. *C. Buller* wished to express his opinion on the subject, because it differed from some great authorities on his side of the House. He did not at all object to the hon. Member for Newcastle acceding to the terms of the right hon. Baronet, though the hon. Member said he should vote for the proposition, not at all approving of it. He (Mr. C. Buller) had prided himself during these debates on the tariff in always giving the right hon. Baronet his support so far as the question of free-trade and a reduction of duty on imports was concerned; but this was a matter not of free-trade, but simply of raising a new tax. He objected to that tax on two grounds. In the first place, on the ground which his noble Friend had just mentioned, and which he thought not sufficient to guide his vote, but which he thought sufficient to guide the vote of the House. The noble Lord thought they ran a great risk in interfering with the interests involved in the export of coal. He must say, that so great peril was never run for so miserable a sum as 140,000*l.* a-year. They might be sure that France would not take off her duty on the import of coal, because we chose to impose a duty on its export. By the present proposition, therefore, they would be giving a premium to Belgian coal in the French market, and consequently diminishing the power of that branch of industry in this country. He should also oppose the proposition, as establishing a mischievous principle, by levying a duty upon the export of an article of raw material, seeing how much the wealth and industry of this country depended on receiving raw materials from other countries. By this step we were holding out to foreign countries the influence of our example to levy similar taxes, and perilling British industry for the paltry sum of 140,000*l.* a year.

The committee divided, on the question that the proposed words and duty stand part of the schedule—Ayes 200; Noes 67: Majority 133.

List of the AYES.

A'Court, Capt.
Adare, Visct.
Adderley, C. B.
Arbuthnott, hon. H.
Arkwright, G.
Bagge, W.
Bailey, J.
Bailey, J. jun.
Baillie, Col.
Baring, hon. W. B.
Barrington, Visct.
Baskerville, T. B. M.
Bateson, R.
Beckett, W.
Bentinck, Lord G.
Beresford, Major
Bernard, Visct.
Blackburne, J. I.
Blackstone, W. S.
Botfield, B.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Brocklehurst, J.
Brotherton, J.
Browne, hon. W.
Bruce, Lord E.
Buckley, E.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Charteris, hon. F.
Chetwode, Sir J.
Cholmondeley, hn. H.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Cockburn, rt. hn. Sir G.
Codrington, C. W.
Colvile, C. R.
Compton, H. C.
Coote, Sir C. H.
Copeland, Ald.
Corry, rt. hn. H.
Courtenay, Lord
Cresswell, B.
Cripps, W.
Currie, R.
Damer, hon. Col.
Darby, G.
Denison, E. B.
Dickinson, F. H.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Duffield, T.
Duncombe, hon. A.
East, J. B.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Evans, W.
Fellowes, E.
Feilden, W.
Ferrand, W. B.
Fleming, J. W.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gladstone, T.
Glynne, Sir S. R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Gore, W. R O.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marq. of
Grant, Sir A. C.
Greenaway, C.
Grimsditch, T.
Grogan, E.
Halford, H.
Hamilton, W. J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Hawkes, T.
Henley, J. W.
Herbert, hon. S.
Hervey, Lord A.
Hindley, C.
Hope, hon. C.
Hornby, J.
Howard, P. H.
Hughes, W. B.
Hussey, T.
Inglis, Sir R. H.
James, W.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Knight, F. W.
Knightley, Sir C.
Lascelles, hon. W. S.
Lawson, A.
Lefroy, A.
Legh, G. C.
Leicester, Earl of
Lemon, Sir C.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Litton, E.
Lockhart, W.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
Maclean, D.
M'Geachy, F. A.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
Martin, C. W.
Masterman, J.
Meynell, Capt.
Miles, W.
Milnes, R. M.
Mitchell, T. A.
Morgan, O.
Mundy, E. M.
Neeld, J
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Northland, Visct.
Pakington, J. S.
Palmer, R.
Palmerston, Visct.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Philips, G. R.
Plumptre, J. P.
Pollock, Sir F.
Praed, W. T.

Pusey, P.
Reid, Sir J. R.
Richards, R.
Rose, rt. hon. Sir G.
Round, C. G.
Rous, hon. Capt.
Rushbrooke, Col.
Russell, Lord J.
Sandon, Visct.
Scott, hon. F.
Seymour, Sir H. B.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Smith, A.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, Lord
Stanton, W. H.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Thornhill, G.
Trench, Sir F. W.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Walker, R.
Whitmore, T. C.
Wilbraham, hn. R B.
Wood, Col.
Wood, G. W.
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.

TELLERS.
Fremantle, Sir T.
Pringle, A.

List of the NOES.

Aldam, W.
Attwood, M.
Bannerman, A.
Barclay, D.
Baring, rt. hon. F. T.
Barnard, E. G.
Bernal, R.
Bernal, Capt.
Blake, M. J.
Bowring, Dr.
Buller, C.
Buller, E.
Busfeild, W.
Childers, J. W.
Christie, W. D.
Cobden, R.
Cochrane, A.
Craig, W. G.
Dashwood, G. H.
Duncan, G.
Dundas, D.
Ellice, E.
Elphinstone, H.
Ewart, W.
Ferguson, Col.
Forster, M.
Gibson, T. M.
Granger, T. C.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hawes, B.
Hill, Lord M.
Hollond, R.
Howard, hn. E. G. G.
Howick, Visct.
Hume, J.
Johnston, A.
Labouchere, rt. hn. H.
Leader, J. T.
Marshall, W.
Marsland, H.
Martin, J.
Mitcalfe, H.
Morris, D.
Norreys, Sir D. J.
O'Brien, J.
O'Brien, W. S.
O'Ferrall, R. M.
Ord, W.
Parker, J.
Pechell, Capt.
Philips, M.
Plumridge, Capt.
Pryse, P.
Scholefield, J.
Strutt, E.
Talbot, C. R. M.
Thornely, T.
Tufnell, H.
Vivian, J. H.
Wallace, R.
Wawn, J. T.
Wemyss, Capt.
Williams, W.
Wood, B.
Wrightson, W. B.
Wyse, T.

TELLERS.
Hutt, W.
Lambton, H.

Proposition carried.

Rest of the resolutions agreed to; and the tariff finally passed through the committee.

House resumed, resolutions to be reported.

COMMUTATION OF TITHES.] Sir *J. Graham* moved the third reading of the Tithes Commutation Bill.

Sir *R. Inglis* objected to the principle of compulsory commutation.

Mr. *Hume* complained that the compulsory process had not been carried into effect more extensively.

Sir *J. Graham* said, the bill involved no new principle.

Bill read a third time and passed.
House adjourned.

HOUSE OF LORDS,

Wednesday, June 15, 1842.

MINUTES.] BILLS. *Public.*—1ª. Sugar Duties; Tithe Commutation; Double Costs.

Private.—2ª. Vere's Divorce.

3ª. and passed:—Coward's Divorce.

HOUSE OF COMMONS,

Wednesday, June 15, 1842.

MINUTES.] BILLS. *Public.*—2°. Mines and Collieries; Newfoundland; Justices Jurisdiction.

Committed.—Sudbury Disfranchisement; Dean Forest Poor; Dean Forest Ecclesiastical Districts; St. Bravel's Small Debts; Perth Prison; Assessed Taxes.

Reported.—Salmon Fisheries (Scotland) (No. 2).

3°. and passed:—Public Houses.

Private.—2°. Duke of Argyll's Estate.

3°. and passed:—Stourbridge Roads; Liverpool Poor.

PETITIONS PRESENTED. By Mr. W. Ellis, from Leicester; by Mr. Bernard, from London, Wolverhampton, and Morpeth, for an Equality of Civil Rights for Roman Catholics.—By Lord John Russell, from Cape Town, Cape of Good Hope, for assimilating the Government of that colony to the Government of Great Britain.—By Mr. S. Crawford, from Clerkenwell, and Walbrook Ward, for the Redemption of Tolls on the Metropolitan Bridges.—By Mr. B. Denison, from Causeway Head, Yorkshire, Manningham, Calverley, Gomersal, Clayton, Thornton, and Wike, for limiting the Hours of Labour of young Persons in Factories.—By Mr. T. Duncombe, from Electors of Sudbury, against the Sudbury Disfranchisement Bill.—By Mr. W. Ellis, from Saffron Walden, for the Abolition of Church Rates.—From Chawleigh, against the Poor Law Amendment Bill.—From Limerick; for alteration of the Fisheries (Ireland) Bill.

CHURCH OF SCOTLAND.] On the motion that the Church of Scotland Bill be read a second time.

Mr. *F. Maule* said, he understood that some technical objection existed to the mode of prooeeding with the bill of his hon. Friend, the Member for Argyleshire, that evening; and must, according to the forms of the House, prevent the further progress of the bill. In consequence of those objections, he begged to give notice that, on Tuesday, the 5th of July, he should move an address to her Majesty on this most important subject. He wished to ask the right hon. Baronet whether he meant to avail himself of those objections, or whether he would permit the question to be gone into?

Sir *R. Peel* could assure the right hon. Gentleman that he had not heard of those objections till an hour before. But taking a precedent which occurred in 1833, those objections were entitled to great weight. He could not give a constructive consent on the subject; the right hon. Gentleman must, therefore, seek some other mode of bringing on the question.

The *Speaker* had thought it his duty to call the attention of the hon. Gentleman who had introduced the bill to the objection, as soon as he had become aware of it. The bill certainly did interfere with the patronage of the Crown, and should not have been introduced without the consent of the Crown. Under these circumstances, he thought the House of Commons could not permit the measure to proceed further.

Mr. *F. Maule* had certainly no right to object to the course which the right hon. Baronet was taking. The right hon. Baronet was certainly justified in refusing to give the consent of the Crown to a measure of this sort, merely for the purpose of discussion, without any *boná fide* intention of supporting the proposition.

Mr. *Campbell* said, that he could not complain of the course taken by the right hon. Baronet, at the same time he deeply regretted it. He hoped, however, that he would have an opportunity of bringing the bill before Parliament, previous to the close of the Session, and have it fully discussed.

Bill put off for six months.

THE AMERICAN BOUNDARY.] Mr. *D'Israeli* wished to put a question to the right hon. Baronet respecting the disputed boundary with America. He had seen it reported, that there was a virtual relinquishment of the territory in dispute, and that the State of Maine required compensation for the territory which was given up. He had also seen that her Majesty's envoy entertained a proposition of this kind, and it was generally supposed, that it would be acceded to by the commissioners of Maine. If such an arrangement were entered into the result would be, that they would be in possession of a much inferior boundary. He wished to know whether there was any truth in this statement; and also whether the right hon. Gentleman had instituted any inquiry into the reason why the solemn award of a friendly power for the adjudication of the question had been set aside by her Majesty's Government?

Sir *R. Peel* thought, the question of the hon. Member altogether premature. It would be most improper to give an answer in the present state of the negotiations. He held in his hand a despatch from Lord Ashburton, which stated, that certain commissioners had been appointed by the state of Maine, but he believed that Lord Ashburton had had no communication with them. The transaction rested altogether between the State of Maine and the general government of the United States. Negotiations of the greatest importance were pending, but he felt it to be wholly inconsistent with his duty to make any statement respecting them to the House.

POOR-LAW.] Lord *J. Russell* said, as there was a rumour prevailing that it was the intention of the Government merely to pass that part of the Poor-law Act which related to the continuance of the Poor-law commission, he begged to ask the right hon. Baronet, the Secretary of State for the Home Department, whether there was any truth in the statement?

Sir *J. Graham* was much obliged to the the noble Lord for asking the question. A similar report had reached him, and he had no hesitation in assuring the noble Lord that it was the intention of the Government to use their utmost endeavours to pass the bill as they introduced it—entire, subject only to such alterations in its details as might be made in the course of discussion.

SOUTHAMPTON ELECTION.] Mr. *Fleming* said, that the two gentlemen whose petitions he had presented on a former evening, contradicting the allegations of John Wren, were in attendance, and ready to appear at the Bar. But if a select committee were appointed to inquire into the election, he would not move, as he had given notice, that they should be called and examined.

Mr. *W. O. Stanley* said, it would be in the recollection of the House that he had moved for a select committee to inquire into the bribery and other corrupt practices which took place at the last election. He withdrew that motion at the request of the right hon. Baronet opposite, (Sir

R. Peel) who stated that the noble Lord (Lord J. Russell) was about to bring in a bill on the general subject, which might, perhaps, contain provisions to reach this case. The noble Lord had brought forward that measure, and he was, nevertheless, still of opinion that further inquiry was necessary into the transactions that took place at the last Southampton election. The petitions which the hon. Gentlemen opposite had presented, confirmed him in that opinion. The best thing that he could do was to renew his motion, and move at once, if the House would allow him, that a select committee be appointed to inquire into the cases of bribery and corruption which took place at the last election for the borough of Southampton.

Mr. *Mackinnon* complained that the hon. Member had endeavoured to stop his motion for issuing the writ, under the plea of obtaining a committee of inquiry. Now he would be glad to know why any individual should interfere in the appointment or nomination of a committee, except the party who had moved for it. In consequence of the bill introduced by the noble Lord (Lord J. Russell) for the amendment of the law of elections, he (Mr. Mackinnon) had consented to postpone his motion for issuing the writ till the present day. He had hoped that in the meantime the hon. Gentleman would have taken the opportunity to investigate the question fully. Instead of that, he had lain by, and on that night he had asked the leader of the House of Commons to name the committee for him. He did not think it was the business of the right hon. Baronet or any other Member to do so. If the hon. Gentleman really meant to come to some conclusion upon the matter, he (Mr. Mackinnon) had no objection to postpone his motion for a week or a fortnight; but before he did so, he was anxious to know what the hon. Gentleman meant to do. Did he mean to examine witnesses at the Bar? Certainly not. An investigation where there was no power to examine witnesses on oath would be a most unsatisfactory one. What, then, did he mean to do? The hon. Gentleman was himself a member of the Southampton election committee, and he now sought to nullify the report and proceeding of that committee by the appointment of another. The hon. Member had induced him to postpone the motion for issuing the writ for nearly a month; and, in the hope that he would be prepared to state what course he meant to pursue, he would now move that the motion be postponed to that day fortnight.

Sir *R. Peel* thought it was a great advantage that where cases were taken up, they should be so by the chairman or some member of the committee. It was at his request that the delay in the present instance had taken place. If there was blame to be attached to any one on account of the delay, it rested with him, at whose request the postponement took place, till the noble Lord would have an opportunity of being in the House. He thought the best course would be to proceed at once to the appointment of the committee. An inquiry at the Bar, besides being an impediment to public business, was not the best mode as regarded impartiality, and for judicial purposes. He must observe, too, that they were too prone to part with the inherent powers of that House. He should be sorry to sanction the doctrine that it was in all cases necesary to have the aid of the House of Lords in the conduct of these inquiries; and he also cautioned hon. Members against the doctrine that it was not possible to conduct these inquiries without a bill of indemnity. Let them first see whether there was likely to be an obstruction to public justice without it. He would recommend the hon. Member to proceed at once to constitute his committee with perfect impartiality. Gentlemen should be appointed upon it who did not bring previous prejudices with them.

Mr. *T. Duncombe* thought, the inquiry could be conducted without a bill of indemnity. It must be clear to any one who had read the petitions of Wren, Abrahams, and Mackey, that an enormous falsehood lay between them; and when the matter should be investigated, he trusted the House would visit the guilty party with its displeasure.

Sir *R. Peel* suggested that the best course would be, first, to move that the report of the Southampton committee be laid on the Table. Then with reference to the subject of the petition presented in the case, to move that a select committee be appointed to inquire into the allegations contained in that petition.

Mr. *W. O. Stanley* thought, it would be better to move for a select committee to-morrow, to inquire into the bribery and treating at the last election for Southampton.

Motion withdrawn, to be renewed the next day.

ELECTORS' REMOVAL BILL.] Mr. *M. Gibson* moved the second reading of the Electors' Removal Bill.

Mr. *Hodgson* opposed the motion. The bill opened the door to non-resident electors, who had been found a source of expense and corruption. He moved, that the bill be read a second time in three months.

Mr. *M. Gibson* thought, the best course to pursue on that occasion would be to read the bill a second time, and in committee, the hon. Gentleman could introduce any alteration in the bill he thought proper. It was highly desirable that this bill should pass that House. In Manchester, out of 10,000 votes, no less than 2,000 were disqualified, in consequence of removal. He believed that all parties were interested in getting rid of that disqualification. In Ipswich, 124 voters were disqualified during the late election, and more than half of those were Conservatives.

Mr. *Hodgson* meant to persevere, and divide the House on the question.

Sir *G. Grey* said, he hoped the House would not divide upon the question, without clearly understanding the true state of the case. He admitted the force of the objection; but he thought it might be obviated. The only question was, whether the voter resided within the limits fixed by the Reform Act? If a clause were introduced to meet the objection, he hoped the House would agree to pass the measure.

Mr. *Escott* said, that the point upon which he disagreed with his right hon. Friend was, that the residing within the limits of the borough should constitute the qualification. The Reform Bill established a 10*l.* qualification, and a voter ought not to exercise the franchise unless he could show he was in possession of that qualification.

Mr. *Brotherton* hoped that the House would allow the bill to be read a second time. He believed that it would tend to prevent fraud. In consequence of the disqualification by removal personation had increased, it being the removers who were personated.

Sir *J. Graham* agreed that this bill ought not to be dealt with on party considerations. He was bound to say that, in many cases, the question did operate with very considerable hardship, and tended to defeat the original object of the Reform Bill, as a person occupying a 10*l.* house might remove into one of greater value, and property being the qualification, he was even better qualified to hold the franchise than before. He thought that the object of the Reform Bill was not only to have a test of the value, but to have a security for the respectability of the occupant. The question of the 10*l.* value had then been very carefully considered before the measure was submitted to Parliament. The check upon the voter, arising from houses, was very carefully considered. The two subjects had been taken conjointly with the 10*l.* qualification and the change of residence, and it was with reference to this that the third question was proposed. The question of the 10*l.* value was of course very carefully considered before the Reform Bill was submitted to Parliament. It was taken conjointly with the question of the 10*l*, qualification in reference to change of residence. In large cities that class of persons who most frequently change their residences from considerations of failure in the payment of rent or rates comprised, generally speaking, voters who were most open to temptation, and who were most to be guarded against. The right hon. Gentleman the Member for Devonport, differing from the hon. Member for Winchester, thought it desirable that a tenant moving from a 10*l.* tenement to one of inferior value, should have the right of voting. Those who introduced the Reform Bill had thought otherwise, and the third question was introduced, for the purpose of preventing that class of persons from exercising the privilege of the franchise. The remedy proposed by the hon. Gentleman would cause much inconvenience. It would be impossible to enter into the question of value at the poll; an assessor, too, should be appointed. The duration of the poll would be prolonged, and the expenses greatly increased. On the whole, having given his best reflection to the subject, and with reference to maintaining the principle of the Reform Bill, he should give his vote against the second reading of this bill.

Lord *J. Russell* remarked, that at the time the Reform Bill had been introduced, it was quite true that this question had been very much considered, whether the voting should be final for the year, and give the voter the right for that year, whatever circumstances might take place. Another course was, whether such check should not be proposed. That course had been adopted by the Government when they introduced the Reform Bill. If they looked to what had taken place since the Reform Bill, they would find that neither course had been carried into effect. They found that some persons, if they removed from one house to another, thought they had a right to vote, while others, under the same circumstances, did not think they had a right to vote. This was unjust to the one party or the other. In the Scotch Reform Act they had proposed a remedy, giving an appeal to the sheriff. They could not adopt this in an English amended act; for when the revising barrister left the borough, the investigation closed. They had to choose between the two opposite courses. He admitted that he did not see his way clear out of the difficulty; but having to choose between the two evils, the balance was in favour of seeking to remove the existing uncertainty; and he meant to vote with the hon. Gentleman, in the hope that in committee some clause might be provided which would meet the difficulty.

Mr. *C. Buller* thought the House could hardly appreciate the difficulties attending the third question, of merely considering the question as it regarded voters who had changed their residence. If a person, occupying a house at a rent of 200*l.*, gave up any part of it—if he let out a single room, he was disqualified. At the Devonshire election, in 1835, where the noble Lord had been beaten, a farmer had applied to him for his opinion as to his right to vote under the following circumstances. He was registered as occupying a farm of 200 acres—he had since let out one field; and he had given it as his opinion, that the man was disqualified, inasmuch as he could not return a satisfactory answer to the third question, and in that opinion he was borne out by high legal authority. There was no particular virtue in a 10*l.* occupancy; it was merely a method by which to form an estimate of the intelligence and social position of a man; and if his intelligence and social position were such as to entitle him to vote in one October, there could not be much harm in permitting him to retain that right for a year. Then let the House calculate the enormous expense incurred in investigating these questions, which acted as a discouragement to the presentation of petitions. For these reasons he should support the bill.

Mr. *Hawes* was sorry that the right hon. Baronet came to the conclusion to oppose the second reading of the bill. He had been sitting for six weeks on committees, and he believed that five out of the six were occupied with inquiries into the description of the cases that had been alluded to. He, therefore, did not think it too much to ask that time may be allowed to consider whether they could not introduce a clause into the bill which would remedy the present evils, and keep clear of the objections that had been made to certain parts of the present bill.

Mr. *Cripps* had served for six days on an election committee. Three days, or three days and a half were occupied with cases of removal. This was a very great grievance; but then he entertained the greatest objection to this method of meeting the difficulties of the Reform Act by a separate bill, and as the Government had given notice of their intention to introduce a measure on the subject, he thought they should seek to remedy the evil in question by means of that measure.

The House divided on the question that the word now stand part of the question; —Ayes 102; Noes 120:—Majority 18.

Question as amended put, that the bill be read a second time in three months.

Mr. *Hume:* After the division that has now taken place, I wish to know when it is the intention of the right hon. Baronet to bring in a bill on this subject.

Lord *John Russell:* One hon. Gentleman who divided against this bill said, there could not be any doubt that what his bill sought to cure must be universally admitted as a grievance, and one for which there ought to be a remedy. Perhaps the right hon. Gentleman opposite would say whether in his bill for general registration he has proposed any remedy.

Sir *James Graham:* In answer to the noble Lord I have to say that I mean to state the provisions of the bill when introducing it, and not before. That is the most prudent course, and it is one in which I follow the example of the noble Lord.

Mr. *Hume*: I move, Sir, that this House do now adjourn. I have received no answer from the right hon. Baronet.

Sir *Robert Peel*: There was so much

confusion in the House at the time the hon. Member put his question, that I hardly heard it.

Mr. *Hume*: Then, Sir, I mean to repeat the question. The hon. Member for Manchester brought in a bill to remove an admitted grievance connected with registration. This grievance, it has been declared, ought to be remedied. I think it ought to be a part of the general bill, which it is said will be prepared by the Government. Perhaps the Government, as they have agreed to such a bill, will say, or the right hon. Baronet, as he must know something of such a bill, whether it be his intention to introduce an amendment at all of the character that has now been rejected ?

Sir *R. Peel :* The question is of a very unusual nature ? There are many grievances which are tolerated, because persons prefer to submit rather than expose themselves to others, which they may regard as more intolerable. The inconveniences of the present state of the law are only relative—they may be admitted as inconveniences, and yet endured rather than have a worse evil. After the division that has taken place, I do not conceive that I should be pressed to make any further observation. My right hon. Friend has given notice of bringing in a general Registration Bill. He will explain its provisions when he introduces it. I do not know what the hon. Gentleman may propose to do ; but I do not think, until the proper period arrives, that I should be called upon to give any other statement.

Mr. *Hume :* In her Majesty's speech, the attention of this House was particularly directed to this subject. [Sir *R. Peel*: To what subject ?] On the registration of electors ; and this is a part of the grievance. I understand that her Majesty in her speech directed attention to this very subject. As it was the speech of the right hon. Baronet, surely he ought not to say, that he was not prepared with an answer on this subject, nor to go on with it.

Sir *R. Peel* : I conceive the observation is quite uncalled for. Let me ask, how has this House been occupied since the commencement of the Session ? You have had before you three great subjects —the Corn-law, the Income-tax, and the tariff. But then it is said, there has been no Registration Bill. A Registration Bill has been prepared, but there has not as yet been the opportunity of calling attention practically to it. If the bill, when proposed, should not meet with the approbation of the hon. Gentleman, it will be quite open to him to move any amendment he pleases with respect to it. It is, however, quite unusual to ask for the provisions of a bill that is not under consideration.

Mr. *T. Duncombe* said, that what they were most desirous of knowing was, whether the Registration Bill of the right hon. Baronet would be in conformity with the Queen's speech. They were told early in the Session, by the right hon. Baronet, the Secretary for the Home Department, before Easter, that the bill was quite ready; and we had now arrived nearly at the conclusion of the Session, and had not yet seen the promised bill. We want to know, said the hon. Gentleman, what are the intentions of the Government on this question—we want to know what are their reform views—we want to know whether they are going to give us a reform registration. We know how much they found fault with the existing state of registration, and particularly as it affects Ireland. Last year, we heard of nothing but grievances on that one point alone, and this year we hear of no grievances. Then we were told of perjury; and now we know that there is perjury—very great perjury—proved to have been committed on the very point which the bill that has been rejected proposed to avoid. This has been proved before your committees. I myself sat for fourteen days on the Weymouth election committee, and out of 500 votes, there were fifty votes affected, I think, on each side of the question, by removal. Now, what we want to know is, whether, in a bill for the registration of voters, you touch upon this subject. I am delighted the House has come to the conclusion it has just adopted, because it will convince the people of this country that, as far as the cause of Reform is concerned, this House is worse than the last. During the last Parliament this bill passed through its different stages. It went to the House of Lords, and then was heard no more of. That was the fate of the bill in the last Parliament, while this House has, on the second reading, thought proper to reject it. The country will believe that this House is more opposed than the last one, to the free exercise by the people of the elective franchise.

Lord *Clements* inquired, if the right hon. Baronet opposite intended to introduce any measure for the registration of voters in Ireland. If any measure of the kind was to be introduced with respect to England, a similar one should be brought forward as regarded Ireland.

Sir *R. Peel* said, that the right hon. Baronet the Secretary for the Home Department had already stated, at an early period of the evening, that he would state in due time the intentions of her Majesty's Government, with respect to a Registration Bill for England.

Mr. *F. Maule* said, that after the answer which had just been given, he would move, that the bill be read this day week, instead of this day three months. They would then have heard of the determination of Government with respect to a registration measure, and whether provisions similar to those in the measure before the House, would be introduced into it. The right hon. Gentleman concluded by moving, that the bill be read a second time this day week.

Mr. *Hodgson* said, that the bill had nothing at all to do with the registration of electors. If a bill for the latter purpose were to be brought in to-morrow, the subject before them would be improperly introduced into it.

Mr. *Redington* said, that if such was the case, it was the more necessary, that they should legislate without waiting for a Registration Bill.

The House divided on the question, that the words "three months" stand part of the amendment:—Ayes 101: Noes 79; —Majority 22.

[The following are the Lists of the first division, which includes the second. It would be no use printing both.]

List of the AYES.

Ainsworth, P.
Bannerman, A.
Barnard, E. G.
Bellew, R. M.
Bernal, R.
Bodkin, J. J.
Bowring, Dr.
Brocklehurst, J.
Brotherton, J.
Browne, hon. W.
Buller, C.
Busfield, W.
Childers, J. W.
Christie, W. D.
Clements, Visct.
Clive, E. B.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Dalrymple, Capt.
Dennistoun, J.
Dickinson, F. H.
Divett, E.
Duncombe, T.
Dundas, D.
Easthope, Sir J.
Ellice, rt. hon. E.
Ellice, E.
Esmonde, Sir T.
Ewart, W.
Ferguson, Col.
Ferguson, Sir R. A.
Forster, M.
Gill, T.
Gordon, Lord, F.
Granger, T. C.
Grey, rt. hon. Sir G.
Hardy, J.
Hastie, A.
Hay, Sir A. L.
Heathcoat, J.
Hindley, C.
Howard, hon. J. K.
Howard, hon. H.
Hume, J.
Hutt, W.
James, W.
Johnson, Gen.
Johnston, A.
Lambton, H.
Langston, J. H.
Layard, Capt.
M'Taggart, Sir J.
Mainwaring, T.
Martin, J.
Maule, rt. hon. F.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Morison, Gen.
Morrison, J.
Murphy, F. S.
O'Brien, J.
O'Connell, D.
O'Conor, Don
Ogle, S. C. H.
Oswald, J.
Parker, J.
Pendarves, E. W. W.
Philips, G. R.
Philips, M.
Plumridge, Capt.
Protheroe, E.
Redington, T. N.
Ricardo, J. L.
Russell, Lord J.
Russell, Lord E.
Scholefield, J.
Scott, R.
Seale, Sir J. H.
Sheil, rt. hon. R. L.
Sheppard, T.
Somerville, Sir W. M.
Stanley, hon. W. O.
Stanton, W. H.
Strickland, Sir G.
Strutt, E.
Thornely, T.
Tufnell, H.
Tuite, H. M.
Vivian, J. H.
Wall, C. B.
Wallace, R.
Wawn, J. T.
Wemyss, Capt.
Westenra, hon. H. R.
Williams, W.
Wood, C.
Wood, Col. T.
Wrightson, W. B.
Wyse, T.

TELLERS.

Gibson, J. M.
Hawes, B.

List of the NOES.

Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Bagge, W.
Bagot, hon. W.
Baring, H. B.
Barrington, Visct.
Beckett, W.
Bell, M.
Beresford, Major
Bernard, Visct.
Blackstone, W. S.
Bodkin, W. H.
Botfield, B.
Buck, L. W.
Buckley, E.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, A.
Carnegie, hon. Capt.
Charteris, hon. F.
Christopher, R. A.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Cockburn, rt.hn. Sir G.
Collett, W. R.
Colvile, C. R.
Compton, H. C.
Connolly, Col.
Corry, rt. hon. H.
Cresswell, B.
Cripps, W.
Darby, G.
Denison, E. B.
Desart, Earl of
Douglas, Sir H.
Dugdale, W. S.
Du Pre, C. G.
East, J. B.
Eliot, Lord
Escott, B.
Ferrand, W. B.
Fitzroy, Capt.
Fleming, J. W.
Forbes, W.
Fremantle, Sir T.
Fuller, A. E.
Gaskell, J. M.
Gladstone, rt.hn.W.E.
Gladstone, T.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Goulburn, rt. hn. H.
Graham, rt. hn. Sir J.

Grimsditch, T.
Grimston, Visct.
Hamilton, W. J.
Hampden, R.
Hayes, Sir E.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Holmes, hn. W. A'C.
Hope, hon. C.
Hope, A.
Hughes, W. B.
Hussey, T.
Ingestre, Visct.
Irton, S.
Jermyn, Earl
Lincoln, Earl of
Lindsay, H. H.
Lockhart, W.
Long, W.
Lowther, J. H.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
Mc Geachy, F. A.
Manners, Lord C. S.
Martin, C. W.
Miles, W.
Morgan, O.
Packe, C. W.
Pakington, J. S.
Peel, rt. hon. Sir R.
Peel, J.
Philipps, Sir R. B. P.
Plumptre, J. P.
Price, R.
Pringle, A.
Rae, rt. hn. Sir W.
Reid, Sir J. R.
Richards, R.
Rolleston, Col.
Rose, rt. hn. Sir G.
Rushbrooke, Col.
Scott, hon. F.
Shaw, rt. hon. F.
Somerset, Lord G.
Somerton, Visct.
Stanley, Lord
Stanley, E.
Sturt, H. C.
Sutton, hon. H. M.
Taylor, T. E.
Thornhill, G.
Trevor, hon. G. R.
Trotter, J.
Vere, Sir C. B.
Verner, Col.
Vernon, G. H.
Waddington, H. S.
Whitmore, T. C.
Wilbraham, hn. R. B.
Wortley, hon. J. S.

TELLERS.

Hodgson, R.
Douglas, Sir C. E.

Bill put off for three months.

Customs Acts—The Tariff.] The report on the Customs Acts Bill was brought up, and on the motion of Mr. Gladstone was re-committed. On the item relative to the importation of foreign books,

Mr. *Hume* wished, that the duty on this item should be as light as possible.

Mr. *Gladstone* said, that it would be found as low as practicable. The question, however, was connected with the law of international copyright, and as long as our own copyright law was in a state of uncertainty, it would be impossible to meddle with international copyright.

The House resumed—Resolution to be reported.

Dean Forest—Ecclesiastical Districts.] Lord *Lincoln* moved, that the House resove itself into a committee, with a view of proposing a resolution, that provision be made for the addition of the incomes of clergymen in this district, out of the Crown lands.

Mr. *Hume* was of opinion, that any money which was necessary for this purpose, should be taken out of the surplus funds in the hands of the Church commissioners.

Lord *Lincoln* said, there was really a great necessity for increased endowments in this district. There were 11,000 persons there, almost all dependent on their daily labour. For this large number, there were three clergymen, at the extravagant salaries of 78*l.*, 92*l.*, and 113*l.* a-year. He thought it hardly fair, that as the Crown derived the benefit of the labour of the large number of persons whom he had alluded to, that they should not receive some addition to their stipends.

Mr. *Hume* said, it was a mistake to suppose, that the funds out of which these clergymen were to have their salaries increased, were the property of the Crown. They were as much the property of the public, as was the excise. He did not object to any clergyman receiving 150*l.* No clergyman should, in his opinion, receive less. But he must insist, that these additional payments should be made out of the property of the Church.

The *Chancellor of the Exchequer* agreed, that the incumbent took the place for his life, of the public, with regard to these funds, but though the property changed hands, it was still attended with the usual duties of property; and if the hon. Gentleman himself held an estate, on which there was no sufficient accommodation for religious instruction, he ventured to say, that he would take some active steps for the purpose.

Committee deferred.

House adjourned at half-past seven o'clock.

HOUSE OF LORDS,

Thursday, June 16, 1842.

Minutes.] Bills. *Public.*—$1^{a.}$ County Courts.

$2^{a.}$ *and Committed.*—Sugar Duties.

Private.—$1^{a.}$ Stourbridge Road; Marquess of Tweeddale's Estate; Liverpool Poor.

$2^{a.}$ Bishop of Derry's Estate; Britwell Salome Inclosure; Kilmington Inclosure.

$3^{a.}$ and passed:—Ardrossan Harbour; Christopher or Manners Estate; Kington Roads; City of Glasgow Life Assurance Company; Gravesend Town Pier; St. Pancras' Improvement; Fleetwood Improvement; Fleetwood Improvement; Medbourne Inclosure.

Committed.—Coward's Divorce; Vere's Divorce.

Reported.—Paterson's Estate; Tulloch's Estate (Davison's); Church Stretton and Longden Roads; Guarantee Society; Market Harborough and Brampton Road; Bolton and West Houghton Road; Hinckley Roads; Leicester and Ashby-de-la-Zouch Road; Holywell Roads; Metropolitan Wood Paving Company; Testimony Perpetuating.

Petitions Presented. By the Bishop of Llandaff, from the Shepton Mallet Church of England Lay Association, against the Abolition of Church Rates; and from the Deaneries of Powder and Pyder, and the Diocese of Exeter, for an Alteration of the law Respecting the Rating of Tithes.—By the Marquess of Lansdowne, from Beccles, against the Income-tax.—Ay the Earl of Clare, from Limerick Union, for the Amendment of the 41st and 44th sections of Poor Relief (Ireland) Act, defining Residence.—By the Earl of Mountcashel, from Taghmon, Ballycormick, Ballymithy, and Coolstuffe, for the Encouragement of Schools in connection with the Church Education Society of Ireland.—From Fishermen and Pilots of Newhaven, to be heard against the Granton and Burntisland Pier and Ferry Bill.—From Persons in Bradford, Yorkshire, for Limiting the Hours of Labour in Factories.

SLAVE-TRADE — DISTRIBUTION OF PRIZE-MONEY.] The Earl of *Minto*, seeing the noble Earl the Secretary for Foreign Affairs in his place, begged to put a question to him, which he had no doubt the noble Earl would be able to answer. In the course of the last few years an act had passed for the suppression of the slave-trade, and authorising the seizure of vessels sailing under piratical colours. In that act provisions for realising the prize-money, and for the condemnation of the vessels seized, were contained, but there was a total omission of any provision for the distribution of prize-money. The subject had since been under the consideration of Government, as he understood, and he wished to be informed whether it were probable that any measure would be introduced in the course of the present Session to remedy this omission?

The Earl of *Aberdeen*: A bill of the nature referred to by the noble Earl, had been prepared by the Government, and would be introduced in the course of the present Session.

CORN-LAWS — PUBLIC DISTRESS.] The Earl of *Radnor* said, that in rising to move for the returns of which he had notified his intention to move, he should take this opportunity of endeavouring to learn whether any intention existed on the part of her Majesty's Government to take steps before the prorogation of Parliament to relieve the distresses which now existed to so great an extent in the manufacturing districts, and indeed in every part of the country. In what he did on this subject he confessed that he was actuated in a great degree by hostility to the present state of the Corn-laws. He had no hesitation in saying so, and he thought that the Government ought either to do something on behalf of the suffering people of this country, or that her Majesty's Ministers should give some reason why they abstained from adopting some measure, and they might do this without expressing any opinion whatever on the existing Corn-law. The motion which he was about to make called for an account of the quantities of corn admitted into this country under the acts of Parliament passed in the years 1825 and 1826—measures which had been introduced by the Government of that time, in a state of things very like that which now existed, except that the distress of the country at the present time was very much greater than any which then prevailed. Those measures, which were the acts of the 7th George 4th, c. 70, and the 7th George 4th, c. 71, were introduced for the purpose of relieving the existing distress. At the present time the existence of distress could not be denied, and surely this was a time, too, when some steps should be taken towards securing the same object. Their Lordships, he was sure, were not aware of the extent of the distress which prevailed in various parts of the country—they could scarcely conceive the misery which existed. In Manchester, arrangements had been made by benevolent individuals, by which soup was distributed to the poor. The kitchens at which this distribution was made, were opened as early as eight o'clock in the morning, but so eager were the poor creatures, the recipients of this bounty, to secure their share, that they were in the habit of assembling at the doors at the hour of three in the morning, in order to be sure to obtain the supply. An amount of not less, he believed, than 16,000 quarts weekly, was distributed by these establishments; but he was informed that the supply was still inadequate to meet the demand. This was a statement which rested upon no mere assertion of any Anti-Corn-law journal, but had been communicated to him in a letter from the Dean of Manchester; and though the fact had been since stated in one of those papers, it had originally reached him through the source, which he had referred to. In Sheffield, the distress which existed was of a still more painful nature, and he had been furnished with papers containing information which would fully establish the suggestion which he had made. These papers were as follows:—

TOWNSHIP OF SHEFFIELD, 1826 TO 1842

Numbers in Poor-House.		Able-bodied men out, receiving relief.	Annual Weekly average payments to regular Poor.	Annual Weekly Average payments to occasional Poor out-door abled-bodied men.
			£.	£. s.
March, 1837	261	None. I was told in these words, "Not so many as to carry an inmate that died to the grave;" but now increased to 1,000 men; with families and being estimated by the vestry clerk at 4,000 individuals.	62	13 15
1838	401		65	39 0
1839	386		76	47 0
1840	443		77	50 0
1841	490		81	140 0
Now, June, 1842	600		”	and now to 380 0 last week.

	Total Payments to regular Poor.	To Casual Poor out-door, &c.	Total Payments to Poor, and absent.	To Strange Poor in the Town.
	£	£	£	£
March, 1836, to 1837	3,251	715	4,571	None
1838	3,390	2,045	5,999	867
1839	3,992	2,460	6,932	820
1840	4,017	2,612	6,945	898
1841	4,236	7,315	11,790	1,157
1842	....	Going on at this time at the rate of 15,000*l.* for the year.		

Year.	Paid for Flour Oatmeal.	House Department.	Total Expenses.	Paid for the County Rate.
	£	£	£	£
Ending March 1837	760	2,095	10,548	1,712
1838	1,996	3,734	14,084	1,712
1839	3,121	4,787	15,516	1,196
1840	3,357	5,368	18,065	2,430
1841	5,237	7,557	23,806	2,453
1842	not made up		40,000	increased again.

Notes.—There is a part of the building set aside for receiving the destitute every night. In the former part of the time few or no applications were made, now a great many every night, forty to fifty.

At present there are upwards of 2,000 houses standing empty.

The different trade funds are all exhausted.

Crime has increased so much, that the sessions are now held twice, instead of once a quarter, as before.

He had dwelt thus long upon this case, in order to bring the fact of the existence of distress distinctly under their Lordships' notice, and also to found on it an application to her Majesty's Government to do something, before the close of the Session, for the relief of the poor. For that application an example was afforded in the year 1826. In that year, Lord Liverpool was the First Lord of the Treasury; the present First Lord of the Treasury was Secretary of State; the noble Duke was Master-General of the Ordnance, and the noble Lord the President of the Board of Trade was then Chancellor of the Exchequer. In the course of that year, measures were introduced into the House of Commons for the alteration of the Corn-laws by Mr. Whitmore, which were negatived by a large majority. There had been some notion held out that in the Session of that year there would be a revision of the Corn-law; but in consequence, as he apprehended, of the money-panic in the winter of 1825-6, it was thought by the Government that the time was not an advantageous one to open the question. It was not denied by them that some alteration in the law was necessary, but it was said that that was not a favourable time to effect such an alteration. In a fortnight or three weeks after this motion, such was the nature of the distress that the Government deemed some measure for its relief to be essential. When that measure was first introduced into the House of Commons, it was brought forward by Mr. Canning, and he described the state of the country to be such as to prevent his bringing forward any measure for the repeal of the Corn-laws. He spoke of it as being "a time of the greatest distress, of the utmost excitement, and of extreme anxiety," and these were reasons which he had given for abstaining from moving for a revision of the Corn-laws. Mr. Canning said—

> "For three weeks before the hon. Member for Bridgnorth made his motion, there had been a gradual inclination to a rise in price; for three weeks since there had been the same; so that for six weeks—with the exception, he believed, of the last few days, when they could mark a slight decline—a constant tendency to rise had been visible in the corn-market; and that rise had been accompanied by a state of terror and alarm, which, although he did not mean to make any prophecies of famine, indicated an approach to a state which no man could contemplate with satisfaction."

Now what were the measures which had been introduced? They were two short acts which were brought in and passed in the month of May. The one was to enable the holders of corn in bond to take a certain quantity of corn out of bond, on payment of certain duties, within a certain time. The state of the law at that time was this:—the act of 1815 was then in force, which prohibited the admission of corn until the average price had risen to 80*s.*, and had continued at that price for three months; but this act had been in some degree qualified by an act of 1822, which enacted that when once corn had risen to 80*s*. it might be admitted, and that from that time forward it should be admissible at 70*s*., on payment of a duty of 12*s*. In 1825 there had been an act passed similar to the first of those passed in 1826, for the admission of bonded corn on paying the duty of 10*s*.; but the statute of the year 1826, cap. 70, was an act enabling certain parties to introduce corn, to the extent of one-half of the amount which they had in bond, at a duty of 12*s*., between the 31st of May and the 1st of July of the same year; and also enabling parties to introduce an amount of wheat to the same extent as that first introduced, between the 1st July and the 16th August in the same year, at the same rate of duty. The other bill was an authority to his Majesty by advice of the Privy Council, to admit any quantity of wheat not exceeding 500,000 quarters, after the prorogation of the then Session of Parliament, and before a certain time in the following year, at any duty which might be determined on, not exceeding 12*s*. This was done at a time when distress existed to a great extent, and with a view of relieving that distress. What he wanted to know was, whether her Majesty's Ministers, many of whom were persons who had introduced these measures, and had supported them with zeal, whether they had any intention, seeing that the distress was of the same sort, to introduce that or any other measures for relieving distress. There were many circumstances of great similarity between the distresses of that and the present time, and also of great dissimilarity. The House of Commons of that time had refused to interfere with the then existing Corn-law; in the present Parliament, changes had been made—changes which, in his view of the subject, only strengthened the necessity for some new measures to be taken, and for this reason, that the new Corn-laws had not produced any relief whatever. From the moment that Corn-law had passed, the price of corn had been rising, and the duty had certainly fallen to 11*s*. The duty under the old law would have been 22*s*., and that would have been a prohibitory amount; but the new law had effected no improvement in this case, for whether the duty was 22*s*. or 11*s*., it was equally efficacious in preventing the introduction of foreign corn. Any argument, therefore, which might be raised upon the circumstance, that in the present Session of Parliament the Corn-law had been changed, but that in 1826, it had not been changed, was fully met by the answer that the alteration had produced no beneficial effect. The noble Lord went into the details of numerous returns, which showed, that wages did not rise with the price of bread, but that on the contrary, in the years in which bread was dear, wages were low, and in the years 1834 and 1835, when bread was cheap, wages were high. He argued, that from similar returns, he was justified in stating, that crime increased as the price of bread increased, and on these grounds, he contended, that some provision for the wants of the people was requisite. The noble Lord concluded by moving, for a

> "Return of the quantities of corn entered for home consumption (if any) under the provisions of the 7th Geo. 4th, c. 70; and also, a return of all foreign corn admitted for home consumption by any order or orders issued by his late Majesty George 4th, by and with the advice of his Privy Council, under the provisions of the 7th Geo 4th, c. 71."

The Duke of *Wellington* had no objection to the motion of the noble Earl, who, in introducing that motion to the House, had taken the opportunity to put two questions as well as to make a speech. In answer to those two questions, all he could say was, that he had no knowledge of any intention on the part of the Government to introduce any measure of this sort to the consideration of Parliament. It was very true, that the distress of the country was very great, but a variety of measures had been introduced, and were now under the consideration of Parliament, which he hoped would tend to relieve the commercial and manufacturing interests of the country, the result of which must be, the relief of the existing distresses, because it was thought, that those distresses, particularly in so far as they concerned our commerce and manufactures, had proceeded entirely from the oppressed condition of that department of trade. He would not enter into a discussion of the questions referred to by the noble Earl, or detain the House by a consideration of what had passed in the years 1825 and 1826. He did not at all object to the noble Earl's bringing forward and discussing these topics, if he thought proper to do so, on a motion for the production of accounts of corn under certain acts of Parliament which were passed in those years; and if he thought fit to do so, it was natural enough that he should advert to the then existing state of things. But these acts of Parliament had been passed for temporary purposes. The revision of the Corn-laws had been postponed, and, in point of fact, the revision of the Corn-laws did not actually take place until 1827. At the time when these acts were passed, the law required the corn to be held in bond until the price came to 70*s*., and these two acts were passed, in order to enable holders of corn in bond to introduce their corn into the country at a low rate of duty. He did not know whether it would be right again to ntroduce such measures, nor did he know whether any others besides the noble Earl thought so; but the noble Earl might introduce a bill to renew such powers, if he thought proper, and the Government and Parliament would give it their best consideration. The noble Earl might also, if he thought proper, introduce a bill for the repeal of the act passed during the present Session of Parliament; but all he could say for himself was, that he had no intention to introduce any such measures as the noble Earl had contemplated.

Lord *Kinnaird* very much regretted to hear the noble Duke say, that it was not the intention of her Majesty's Government to introduce a measure on the subject of the motion of his noble Friend. This was the second time the noble Duke had told them that they must wait, and it was hard, indeed, for the people, in the state of misery to which they were reduced, to receive such an answer to their demands. What his noble Friend had said respecting Sheffield, he was able fully to confirm by a letter he had received from a most respectable manufacturer, which stated that the writer formerly employed 700 people, but now only 200, and those he did not expect to continue for two months longer. The same manufacturer's correspondents in America had informed him that if they were allowed to send meal to this country, they would take his goods in return; and they urged him to come over to them with his best hands, and no longer reside in a land where such laws prevailed.

Motion agreed to.

Lord *Kinnaird* moved for

"Copies of the instructions given or sent to Mr. Commissary Twisselton and to Mr. Commissary-general Ramsay, and to state if they were communicated to the magistrates of Paisley, to Sir William Napier, bart., to Mr. Sheriff Robertson, or Mr. Sheriff Substitute Campbell, or to the magistrates of Renfrewshire; as also copies of any replies or remonstrances against the instructions sent to, or orders issued by, the aforesaid commissioner and commissary, or by any of the authorities before named, respecting the food and treatment of the unemployed and destitute. Also copies of any reports which may have been made by one or more medical men attached to the military force quartered at Glasgow, or other professional gentlemen from a distance to Mr. Commissioner Twisselton, or any of the above-named authorities, and specifying to which (if to any), respecting the health of the destitute and unemployed in Paisley. And also the amount of funds placed at the disposal of Mr. Commissioner Twisselton, or the source from whence these have been derived."

The Duke of *Wellington* said, that certain persons had been sent down by Government to make inquiries into the state of distress at Paisley, who had also been employed under the directions of the Secretary of State to dispose of certain funds, not public money, but money contributed by her Majesty, and derived from other sources. The directions were not official, but private and confidential, and the reports made by the persons employed were precisely of the same character. He objected, therefore, to the productions either of the directions or of the reports.

Lord *Kinnaird* observed, that complaints had been made respecting the distribution of a second fund raised for the relief of distress. The collection had been made in the county, and the objection was, that the money thus obtained had not been distributed, as was intended by the donors, in the villages round Paisley, but merely in the town. Perhaps, however, the facts would come better before the House in the shape of a petition.

Lord *Wharncliffe* remarked, that the commissioners had found that the fund first subscribed had been improperly distributed. They, therefore, distributed the second fund on an entirely different principle. It was true that no public money had been applied to this purpose, but in order that no mistake might arise he would mention that 500*l*. had been advanced from the civil contingencies, which sum was repaid in the course of forty eight hours. All the commissioners had done was to see that the second subscription was properly distributed.

Motion withdrawn.

State of Syria.] Lord *Howden*, seeing the noble Secretary for Foreign Affairs in his place, wished to ask whether the official reports received from the British consular authorities in Syria agreed with the private, but very authentic accounts obtained by the last Mediterranean mail, describing that country as rapidly sinking into a state of anarchy and disorganization? He did not intend to make any motion on the subject, for he was fully aware that this was not the most convenient time to enter into an examination of a course of policy, involving false promises and mistaken inductions, which he thought had led to the very unsatisfactory condition of a small but important portion of the Turkish dominions. Neither would he take up their Lordships' time by recapitulating a great deal of strange diplomacy, already known from the papers upon the Table, but he would merely say that it was his decided conviction that the influence of Great Britain in the East might be maintained, and her interest protected without a constant manifestation of outward distrust of one power, and of petty and splenetic petulance towards another. He entreated Ministers not to consider the affairs of Syria below their attention. He had been in all parts of that country, and he knew from the temper of that mixed and most heterogenous population, and from the pressure of the only strong hand which could restrain its being taken away, that it would require unceasing care and vigilance to prevent that corner of the Mediterranean from being the cause, if not of war, of serious disquietude. The result might be that complication of interests, jealousies, and apprehensions, the prolific source of heartburnings and irritation, known by the name of an eastern question.

The Earl of *Aberdeen* regretted that he had been absent the day before yesterday, when the noble Lord adverted to the subject; had he known that such was the noble Lord's intention he would not have failed to be in his place. The noble Lord desired to be informed whether the official reports from the consular agents of this country in Syria confirmed the statements which the noble Lord had received of anarchy and disorganization in that province. He thought that the late official advices had certainly less of that character than some time ago. He by no means intended to say that there was not much in the government of Syria—as, indeed, in the governments of the other provinces of the Turkish empire—which called for regret and disapprobation; but, at the same time, it became a very serious question how far Great Britain could interfere, justifiably, with any regard whatever to the independence of the Turkish government He apprehended that when the allies undertook to liberate Syria from the dominion of Mehemet Ali, and to restore it to its lawful monarch, they did not undertake to govern the province for the Sultan, or to do anything incompatible with his sovereignty. But undoubtedly the changes in Syria had been effected partly by promises made by British agents on behalf of the Sultan. This country, therefore, in mere good faith, was called upon to see to the execution of these undertakings. To a certain degree, therefore, interference became inevitable; but he could assure the noble Lord that that interference had taken place not only on the part of this country, but on the part of all the five powers who had taken an interest in the affairs of the East. He was not aware to what the noble Lord had alluded when he employed certain stinging epithets—whether he meant to apply them to one power or to two; but he could state distinctly, that there existed the most entire concert between the five powers who had ministers at Constantinople in the councils they had given to the Turkish government. The British Government would take care not to neglect the great duty which fell upon it, to see that the whole population of Syria, but particularly the Christian population, enjoyed those privileges which had been promised to them under our auspices. The British Government would also take care that the promised relief from taxation was afforded; and in that respect he was bound to say that the Turkish government had fulfilled its undertaking—the relief from taxation had been as great as had been promised. He trusted that the administration of the province would be carried on in future in the same spirit; something had been already done—not all that could be desired, or that which the allies were endeavouring to obtain, but he assured the noble Lord that neither the attention of this Government, nor of the representatives of other powers, had slept with reference to the affairs of Syria. He might rely upon it that all would be accomplished that could be justifiably attempted.

Their Lordships adjourned.

HOUSE OF COMMONS,

Thursday, June 16, 1842.

MINUTES.] NEW MEMBER. John Quincey Harris, Esq., for Newcastle-under-Lyme.

BILLS. *Public.*—1°· Bribery at Elections (No. 2).

Reported.—Assessed Taxes.

Private.—1°· Manner's Estate; Brewood School Estate.

Reported..—Dean Forest Poor; Briavel's Small Debts.

3°· and passed; Sudbury Improvement.

PETITIONS PRESENTED. By Mr. Etwall, from Andover, and Weyhill, for the Repeal or Alteration of the Poor-law Amendment Act.—By Sir John Hanmer, from Kingston-upon-Hull, against the Poor-law Amendment Bill.—From Teston and Nettlestead, Kingston, Glasgow, Brampton, Tonbridge, and other places, against Railway Travelling on Sundays.—From Headington, for placing Charitable Lunatic Asylums on the same footing as County Lunatic Asylums.—By Mr. Brotherton, from the Members of the Peace Preservation Society, for the Discontinuance of the Wars in China and Affghanistan.—By Mr. T. Duncombe, from North Shields, for Alteration of the of Law of Landlord and Tenant in Ireland.—By Mr. T. Duncombe, and Mr. Byng, from Finsbury, and the Ward of Farringdon, for the Redemption of the Tolls on the Metropolitan Bridges.—By Mr. Mitcalf, from Tynemouth, for securing to Seamen their Wages.—By Mr. H. Berkeley, from Bristol, for the Abolition of Church-rates.—By Mr. Thornely, from Ormskirk, for the Reduction of the Duty on Sugar.—By Captain Pechell, from William Smith, for Inquiry into the Eastbourne Union.—From Droitwich, for Rating the Owners of Small Tenements to the Poor.—From Kilworth, against placing Medical Charities (Ireland), under the Poor-law Commissioners.—From Limerick, against the Fisheries (Ireland) Bill.

BELFAST ELECTION.] Mr. *O'Connell* moved, that the following be the select committee to inquire into the Belfast election proceedings:—Mr. O'Connell, Mr. Shaw, Mr. Beckett Denison, Mr. Cripps, Mr. East, Mr. Liddell, Mr. Ellice, jun., Mr. Protheroe, and Sir Benjamin Hall.—Power to send for persons, papers, and records.

Sir *R. Inglis* would not trouble the House to divide on that question. but he must protest against such a proceeding as the present. When his right hon. Friend at the head of the Government, and the noble Lord at the head of the party opposite, agreed upon any course, it was quite useless to oppose them.

Mr. *Darby* wished to know, what was the nature of the inquiry which the hon. and learned Member wished to institute under his motion. Did he intend that it should be limited to the distinct cases of bribery which it was alleged led to the compromise?

Mr. *O'Connell* wished to follow as exactly as possible the precedent laid down by the hon. Member for Bath. The period of the Session was later for inquiry than he could have wished; but he hoped, that there would be no objection to take the order now.

Sir *R. Peel* said, that after the direct allusion, that had been again made to him by the hon. Baronet, he must ask hon. Members to excuse him for adhering to his individual opinion. He did not wish to exercise the influence of the Government on this question, or any personal influence as the leader of a party; and he had not asked any one to vote with him on this or the other questions touching election matters; but he claimed the right of voting on this and other questions in an independent way. He thought, after the statements made to that House, that it was bound to inquire into those cases in which there was an appearance of compromise; and also as to the extent to which bribery had prevailed, in the last election, in those places in which it was alleged compromises had taken place. It was his deliberate opinion, that it would not be very creditable to the character and reputation of the House of Commons, to stand up against inquiry on a mere technical objection. He wished to have the House of Commons remain as it was at present constituted, and, with the view to uphold its character, he was anxious to put a stop to these compromises. If the House of Commons wished to appear before the country as sincerely opposed to the practice of bribery, it must adopt such a course as was proposed, and if it did not take such a step, its character must be impaired in the estimation of the country. If parties said on one side, that we will protect those who act with us, and if those on the other side were equally disposed to support their adherents in such practices, the character of the House must be lowered in the estimation of the country. For his own part, he never would act with the appearance even of a partizan, when parties were accused of bribery, or of a corrupt compromise. In such a case, he never would suffer his conduct to be influenced by party considerations. He gave this public notice (and he did not say, that bribery had, or had not taken place, in this, or some of the other cases—he did not know whether that was the case or not)—that he would not use the influence of party to oppose inquiry into those cases which had occurred at the last election, and where it appeared there was a *primâ facie* case of bribery. He was satisfied, that if such inquiries were refused, it would tend to lessen the influence and reputation of the House of Commons throughout the country. If any parties were guilty of bribery, they must take the consequences, and he gave notice, that he would not exercise the influence of office to protect them.

Sir *R. Inglis* observed, that his right hon. Friend had mistaken what he had said. He did not insinuate, that his right hon. Friend had used the influence of Government in support of the motion. What he said was, that when his right hon. Friend and the noble Lord opposite, concurred in any one subject, it was vain to divide the House against them.

Motion agreed to.—Committee nominated.

Mr. *O'Connell* wished to know whether there would be any objection to his proceeding with the bill to indemnify the witnesses to be examined before this committee.

Sir *R. Peel* thought that it would be better unless in case of absolute necessity, not to bring forward bills of this kind. He thought, as he stated yesterday, that it was desirable that the House of Commons should rely, in the first instance, upon its own constitutional powers. If those powers were found to be insufficient it would be time to make alterations. He doubted the policy of resorting to the assistance of the other House for such bills as the present, as it might hold out an inducement to witnesses to doubt the power of the House to compel answers to questions. He hoped the right hon. and learned Gentleman would not at present, unless on very strong grounds, ask for this bill.

Mr. *O'Connell* said, that he concurred in what had fallen from the right hon. Gentleman. He had been apprehensive, from what had formerly passed, that their present powers were insufficient, but after what had fallen from the right hon. Baronet, he would withdraw his motion.

CHURCH EXTENSION.] Mr. *Hawes* had understood the hon. Baronet, the Member for the University of Oxford, to say at the commencement of the Session, that he intended to bring the question of Church Extension under the consideration of the House during the present Session. He wished to know whether the hon. Baronet still intended to do so, and if he did at what period he would make his motion.

Sir *R. Inglis* said, it was his intention—his fixed intention—to call the attention of the House to the subject of Church Extension. If he might be permitted to add one word in reply to the question, it was this, that if the hon. Member for Lambeth would promise him his support, he would then take his counsel as to the time and manner of bringing the subject forward, otherwise, he must be allowed to bring it forward at that time, and in that manner which he should think best.

Mr. *Hawes* did not understand the right hon. Baronet to state whether he intended to bring the matter forward before the end of the Session.

Sir *R. Inglis* said, it was his fixed intention to bring the subject forward before the close of the Session.

SOUTHAMPTON ELECTION.] On the motion of Mr. W. O. Stanley the report of the Southampton election committee was read as follows:—

"That James Bruce, Esq., commonly called Lord Bruce (now Earl of Elgin), and Charles Cecil Martyn, Esq., were not duly elected burgesses to serve in this present Parliament for the town and county of the town of Southampton.

"That the last election of burgesses to serve in Parliament for the said town and county of the town was a void election.

"And the said determinations were ordered to be entered in the journals of this House.

"House also acquainted, that the committee had come to the following resolutions:

"That James Bruce, Esq., commonly called Lord Bruce, and Charles Cecil Martyn, Esq., were, by their agents, guilty of bribery at the last election for the town and county of the town of Southampton.

"That Charles Combe Callan was bribed with 10*l*., paid to his wife for him; that Joseph Whitmarsh was promised a bribe of 20*l*., the whole or some portion of which was afterwards paid; that Joseph Redwards was bribed with 5*l*.; that William Andrews was bribed with 3*l*.; and that Giles Paskin was bribed with 3*l*.; each of them to vote for Lord Bruce and Mr. Martyn.

"That it has not been proved before the committee that these acts of bribery were committed with the knowledge and consent of Lord Bruce or Mr. Martyn.

"That the evidence given before the committee relative to an extensive system of treating carried on through the means of local associations, the payment of large sums to chairmen and colourmen, many of whom were voters, and the expenditure of a sum of money for the purposes of the election, amounting to nearly 5,000*l*., and, therefore, far exceeding the ordinary legal charges, is deserving of the serious consideration of the House.

"That the committee feel they have been prevented from ascertaining the exact mode in which the whole of this money was expended, by the loss or destruction of the vouchers and other documents connected with these payments, especially in the case of William Rouse Mabson, who, after having been served with the Speaker's warrant, disposed of those in his possession."

Mr. *W. O. Stanley* said, that he could not propose his motion without taking that opportunity of expressing his sense of the obligations of the House and the country to the right hon. Baronet at the head of the Government for the assistance he had given towards raising the character of that House by the course he had taken respecting the alleged cases of bribery and corruption at the late elections. With respect to the committee, he thought that it was desirable that it should be constituted as fairly as possible, and that the Members forming it should not be in any way biassed by previous opinions. The hon. Member moved that a select committee be appointed

"To inquire into the special report of the select committee appoited to try the matter of the petitions complaining of the last Southampton election; and to inquire into the matters contained in the several petitions hereinafter mentioned, namely, the petitions of the electors of Southampton, presented on the 9th day of May, and the 1st day of June; the petition of John Sadler Moody and other electors of Southampton, presented on the 1st day of June; the petition of William Hooke Steere and other electors of Southampton, presented on the 1st day of June; the petition of John Wren, presented, and printed with the votes, on the 30th day of May; the petitions of Abraham Abraham and William Henry Mackey, presented, and printed with the votes, on the 13th day of June, and to report their opinion thereupon."

Motion agreed to.

CHURCH-RATES.] Sir *John Easthope*, in rising to bring forward the motion of which he had given notice, could not abstain from expressing extreme regret and surprise, that the subject had not been undertaken by her Majesty's Government. His regret upon this point was the more deep, because he could not but be sensible that the present Government was possessed of power which enabled it to execute its will, and therefore, that the question of Church-rates, submitted to Parliament as a Ministerial proposition, could not fail of being promptly settled. His surprise, that the subject had not been considered by her Majesty's Ministers, and especially by the right hon. Baronet (Sir R. Peel) at the head of the Government, was founded upon the avowals which the right hon. Baronet had so frequently made in former discussions upon the question, which had fairly led those who deemed the matter of importance to the religious peace of the country to conclude, that it was one that would engage the right hon. Baronet's earnest attention at the earliest moment when he felt himself in a situation to give it a successful consideration. It would perhaps be in the recollection of some Members of the present Parliament, that when upon a former occasion (upon the 25th of May, 1835) it was proposed to abolish Church-rates, and to provide a substitute for them, the right hon. Baronet said,—

"He would not attempt to gain popularity at the expense of the noble Lord, by concealing what he had himself intended to do, and, therefore, he would now declare that, although in the course of the present Session he should have attempted, had he remained in office, to effect an immediate settlement of Church-rates, yet it was his intention to adopt the principle of the noble Lord."

Here, then, was a distinct avowal from the right hon. Baronet, made in the debate when the question was brought before the House by the present Lord Spencer, that if the right hon. Baronet's continuance in office in 1835, had not been cut short, it was his intention to have brought the subject of Church-rates under the consideration of Parliament. To all those, then, who regarded Church-rates as an evil in themselves—as oppressive and unjust upon the dissenting body—and as a source of strife and mischief to the Established Church, it was naturally a matter of regret and surprise, that the right hon. Baronet with all the power to carry out his opinions, and to execute his will, should have failed to undertake a subject upon which he expressed so strong and decided an opinion in 1835; and it remained for the right hon. Baronet to explain for what reason it was, that he deemed the question of less importance now than he considered it to be at the period to which he (Sir J. Easthope) had adverted. In the course of the same debate, in May, 1835, the right hon. Baronet, showing the importance he then attached to the question, also said,—

> "With respect to municipal corporations, he was not about to say a word on that question; but, without undervaluing its importance, he must observe, that the subject of Church-rates did not yield to it in urgency. So far as any question could be important to the maintenance of social harmony, to the promotion of satisfaction amongst the great body of the Dissenters, there was not a single question, excepting that of the Irish Church, which so much pressed for an immediate practical settlement as this of Church-rates."

Again, in the same debate, the right hon. Baronet further said, addressing himself particularly to the present noble Member for the City of London (Lord J. Russell):—

> "And on the subject of Church-rates, surely the noble Lord, adhering, as he professed, to his former principle, and being in possession of all the facts of the case, surely the noble Lord, himself one of the parties to the bill of Lord Althorp, and being now perfectly able to accomplish his object, surely he was bound to proceed, and not to leave unsettled for another year a subject so pregnant with the seeds of discord and collision. In consideration of the interest of the Church Establishment—for the satisfaction of a large body of the people—for the accomplishment of their own pledges to promote subordination and obedience to the law—to suppress individual complaints of grievance—surely, to accomplish all these objects, a Government fit to be entrusted with the management of public affairs would, without delay, take this matter into their own hands, and not suffer the law respecting Church-rates to be made a theme of discussion in public meetings, and a subject of resistance by parochial martyrs for another twelvemonth."

Thus, then, it would appear, that in 1835 the right hon. Baronet pressed the subject of Church-rates upon the Government of that day as one that peremptorily claimed its attention; and that it would amount to a dereliction of duty if the Ministry suffered it to go on unadjusted for twelvemonths longer. Yet year after year it had gone on, and still remained unsettled. It would be a waste of the time of the House if he were to dwell upon the reasons which had prevented its being set at rest. The House would not fail to remember, that repeated efforts had been made by the late Government to settle the question all of which had failed from the want of adequate support; but the right hon. Baronet (Sir Robert Peel), with the powerful majority which he possessed in both Houses of Parliament would have none of the difficulties to contend against which had baffled his predecessors in their endeadeavours to set the matter at rest. It was no part of his duty to attempt to defend any of the different courses that had been taken in reference to this subject. It was not for him to say, whether the late Ministry had done all they might have done to accomplish a settlement of this painful, difficult, and mischievous question. But he thought it would be felt by the House, and—he said this in no unfriendly spirit—that the right hon. Baronet should be induced seriously to consider whether the discord, strife, and bitterness, which resulted from the still unsettled state of the question would not now be chargeable upon his Government which possessed the power of removing the injustice so generally admitted to exist. Church-rates had been so repeatedly declared by all parties in that House to be a grievance upon Dissenters, that he should not deem it necessary to dwell for one moment upon that point. It would be in the recollection of the House, that in 1834 a measure upon the subject was proposed by the present Lord Spencer—that in 1837 another measure was brought forward by the present Lord Monteagle; in both cases the proposition for the abolition of Church-rates was affirmed by the House—in the one case by a majority of 116, in the other by a majority of 23. Leading Members of every Government that had existed for more than the last ten years had made and sanctioned efforts to remove the grievance of Church-rates and to settle the question. Different plans had been brought forward, and whatever difference of opinion had existed as to the nature of the substitute to be established for the maintenance of the fabric of the Church, all had concurred in the point that Church-rates were in themselves a grievance which ought to be abolished. It was felt by the Dissenters to be a very great hardship that whilst the grievance was thus admitted and proclaimed by all, they should still be continued only because a difference of opinion existed as to the substitute to be adopted in lieu of them. Lord Althorp had brought in a measure, which, as a substitute, might have been a bad one. Lord Monteagle had brought in a measure, which, as a substitute, might also have been deemed a bad one, but both and all agreed that the grievance was severe and unjust upon Dissenters, and that the abolition of Church-rates was important and essential to justice. With this general admission of the severity of the grievance, it was indeed very hard that it should be allowed to continue merely because there was a difference of opinion as to the remedy to be adopted. In the year 1837, the expediency of legislating for an adjustment of the question of Church-rates was alluded to in the speech from the Throne, in the following words:—

> "We are required to convey to you his Majesty's desire that you should consult upon such further measures as may give increased stability to the Established Church, and produce concord and good will."

In the debate on the Address, at the commencement of the Session of that year, a general understanding prevailed that there was to be an abolition of Church-rates, and that some substitute would be sought and found for the maintenance of the fabric of the Church. In the course of the debate upon Lord Althorp's motion in 1834, no individual Member of the House more strongly characterised the grievance of Church-rates than the noble Lord the present Secretary for the Colonies (Lord Stanley). Looking to the strong feeling which that noble Lord then expressed upon the subject, he (Sir J. Easthope) could not help believing that the noble Lord, with many other Members of the Government, must now be sincerely desirous of terminating this irritating and painful question. In the debate of 1834, the noble Lord stated that

> "He was perfectly ready to admit that such maintenance of an Established Church ought to be conducted upon principles and in a manner the least irritating and offensive to other parties, both as respected the amount and the mode of collection. He was equally ready to acknowledge that Church-rates, as they stood, formed to the Dissenters a serious and substantial grievance."

In the same debate, referring to a speech which had been made by the hon. Baronet the Member for the University of Oxford (Sir R. Inglis), the noble Lord also said:—

> "Did his hon. Friend think that the best mode of advancing the true interests of the Church was by maintaining every one of its abuses? Did any man suppose that those interests were to be promoted by a profanation of the Church itself year after year—by a desecration of the House of God, by a squabble about Church-rates at each succeeding Easter?"

He was afraid, the House would feel that he was needlessly trespassing upon its attention, by bringing under its notice sentiments which had been so strongly expressed; but he begged the House to consider what must be the feelings of Dissenters—of those who had submitted to bear this oppressive impost, when they had heard from the Throne an intimation that their grievances should be remedied—when they had seen all parties in that House concurring in the opinion that Church-rates were a heavy and severe grievance—when, one after another, they had found the leaders of parties, as well as individual Members of a more retiring caste, all agreeing, and proclaiming Church-rates to be an impost that ought not to be borne—a tax unfit for the present time, every way injurious to the Church, for whose benefit it was intended, and utterly disgraceful to the age in which it existed. Upon the point of its being a grievance, an unjustifiable and unnecessary grievance, there was, (this he thought must be admitted) a combination of authority almost amounting to an universal agreement. If he were correct in that statement, then it followed that the grievance naturally became heavier in the estimation of those who had to bear it. What could be harder, than to be told that they were subject to a wrong, but that they must continue to endure it, because all the substitutes proposed in lieu of it had been defective—because, in the one case, those who were unfriendly to the rate did not think it right to throw the burden upon the Consolidated Fund, and because, in the other case, the supporters of the Established Church would not agree to the appropriation of funds belonging to the Church to a purpose to which they were fairly and justly applicable. Because there was disagreement upon these points out of doors, because there was no concurrence in that House as to the character of the substitute, did not the grievance operate with double hardship upon those who, hearing it universally condemned, were yet compelled to endure it from year to year? Whatever the difficulty, whatever the difference of opinion amongst different parties might be as to the nature of the remedy, he apprehended that there was no man in the House who would be bold enough to get up and say, that injustice should be prolonged, and unchristian and anti-social strife perpetuated, until some substitute for Church-rates could be discovered to which the hon. Baronet, the Member for the University of Oxford (Sir R. Inglis) could not object, and against which the most ascetic and rigid Dissenter could raise no murmur. No. A measure essential to the preservation of social peace —to the true interests of the Church—to the first objects of religion—to the happiness of the people—was not to be delayed because of a difficulty between different parties in the House and the country about the substitute to be provided to meet an inconsiderable charge. He remembered, that in the debate upon Lord Althorp's motion the hon. Baronet, the Member for the University of Oxford stated, that he thought the Dissenters bore but a very inconsiderable portion of the burden of Church-rates. Upon that occasion, the hon. Baronet said,

> "As to the amount paid by the Dissenters, he did not believe that it could amount to any thing which could so press upon their resources as to be deemed a grievance on that account. The whole amount raised by Church-rates in England and Wales was 566,000*l.* a year. He would ask any Gentleman whether the Dissenters share of this payment could be estimated at more than one-twentieth of the sum? He was sure, he might safely say it was not more than a fortieth."

If that were so, the sum chargeable upon the Dissenters would not exceed 14,000*l.* to 15,000*l.* a-year. For such a sum, was it worth while to perpetuate a grievance upon the consciences of Dissenters? Could no other means of raising such a sum be found? Was there no other source than the pocket of the Dissenter from which this pittance towards the support of the fabric of the Church could be devised? Upon these points, he appealed to the good sense and good policy of the House. As he had already stated, Church-rates were admitted by all parties to be a grievance; the only difficulty was as to the remedy. Now, he apprehended that a strong Government like the present could not have much difficulty in devising a remedy. He believed, that that which he should have the honour to propose, would be amply sufficient to meet the difficulty of the case. If it were not—if it could be proved that it was not sufficient to meet the difficulty, he should be one amongst the last who would desire to see the fabric of the Church endangered, and one amongst the first to prevent, by every means in his power, whether private or public, that which he should deem to be so great an evil, as the decay of our religious edifices. The measure he had now to offer to the House proposed, in the first place, to abolish Church-rates, except in so far as related to arrears, or to the payment of debts or sums heretofore borrowed, to which Church-rates had been pledged for the repayment. The maintenance of the fabric of the Church he proposed to meet in all cases, where endowments or voluntary subscriptions were not sufficient, by giving to the churchwardens and the minister the power of charging and fixing rents on pews in all cases, except where the pews belonged to the minister, the trustees, churchwardens, and overseers of the poor for the time being, and all such as were allotted as free sittings for the use of the poor. The grievance would thus be redressed. Church-rates would be abolished, and a substitute established which, by many who had given it a careful attention, was thought would be attended by many advantages. In large places, Church-rates were very much upon the decline. It was notorious that most of the large towns had dispensed with the necessity of levying them. In one of the largest parishes in the kingdom—the parish adjoining to that in which they were then assembled—Church-rates had not been collected for years; yet the fabric of its churches had not decayed, nor had the comfort or convenience of those who attended the churches been in any way curtailed or impaired. If Church-rates, then, were not absolutely necessary, let them be abolished in the manner he proposed. No rational friend of the establishment could apprehend danger to the fabric of the Church by a concession so much in accordance with Christian charity and social virtue. There could be no danger of the want of sufficient funds to sustain the Church in large towns. The possibility of such a danger could only exist in small and rural districts, and even in such places the more the matter was investigated, the less ground did there appear for the apprehension of any great difficulty or any real danger. But supposing, that in some instances, some difficulty should arise, still he would ask, could there be a greater libel inflicted upon the members of the Established Church, than to say, that whilst Dissenters found no difficulty not only in supporting and maintaining, but in rearing and completing the fabric of the houses in which they worshipped, the members of the Established Church were too indifferent to the religion they professed to bear the expense of sustaining the edifices in which their religious services were performed? There was another point that ought not to escape the attention of the House, and which he remembered was much felt in the debate upon the question in the year 1835. Lord Althorp then stated, that whilst the sum at that time raised by Church-rates might be estimated at something short of 600,000*l.* a year, it was confidently believed, that only one-half of that sum was positively required for purposes essentially necessary to the Church establishment. The noble Lord, upon that occasion, stated the large and extravagant expenditure which always attended the proceedings adopted by parish officers and vestries; and it was at that time generally considered that one-half of the sum then raised by way of Church-rates would be found fully adequate to meet all the charges to which Church-rates could be properly applied. The House would at once perceive that this was another source from which anger, strife, and discord, would readily and constantly proceed. It went to identify those officially connected with the sacred edifice with a system of jobbing, or with a profligate wasting of the money entrusted to their care for the uses of the Church. This was not only likely to engender anger and strife, but was calculated to bring the established religion itself into contempt. He thought that for a consideration so unimportant as the sum which Dissenters were said to contribute towards the support of the Church, there were few who would consider that that trifling contribution should be extorted at the cost of sacrilegous strife, anti-social bitterness, legal controversy, fines inflcted on tender consciences generating, it might be, spurious martyrs for unholy objects, but certainly leading to the imprisonment of godly men, who, submitting to the loss of liberty, waste of property, and the deprivation of family comfort, had resisted what they felt to be a grievance in their consciences, even though it involved them in so much affliction. Every one who had attended to the subject, and had marked the mischiefs resulting from the present state of the law, could not fail to ask "for what object, for what great advantage, is this state of things continued?" The answer was to be found in the estimate made by the hon. Baronet the Member for the University of Oxford, as to the amount contributed by the Dissenters to the support of the Established Church. All the mischiefs, all the miseries entailed by the present law were continued for the sake of some 14,000*l.* or 15,000*l.*, extorted from the Dissenters to sustain the fabric of the Established Church. Would the hon. Baronet the Member for the University of Oxford say that the advantage thus derived to the Church was in any degree equal to the mischiefs inflicted upon society by the enforcement of this obnoxious impost? Upon a former occasion the hon. Baronet the Member for the University of Oxford had stated that he believed it to be a question of property. How that which depended upon the will of the individuals who attended parish vestries at Easter, and upon the accident of whether upon such occasions there happened to be more Dissenters or more Churchmen present, could be deemed a legal charge upon property, he was totally at a loss to conceive. Then there was the question of ecclesiastical pre-eminence; it was said that the Church had the authority to levy this rate, and that it was essential to its importance that it should exercise that authority, that it should say to those who differed from it, "We have the power of making you contribute to our support, and we will exercise our power." That doctrine was so totally at variance with every Christian and benevolent principle, so fraught with mischief, and so utterly repugnant to every liberal and charitable feeling, that he could no longer expect to hear it advocated within the walls of Parliament. He could scarcely imagine that there was a single individual in the House who would attempt to justify the continuance of Church-rates either upon the ground of their being a charge upon property, or upon the still worse, and less tenable ground, of their continuance being necessary as affording an opportunity for the exhibition of the strength and authority of the Church. He felt that he should best consult his own feelings upon the subject by not taking up the time of the House at greater length. The subject had been so often under the consideration of Parliament, the merits and demerits of the question had been so thoroughly discussed, and he believed were now so thoroughly understood, that he did not deem it necessary to do more upon that occasion than at once to move,—

"For leave to bring in a bill to abolish Church-rates and to make other provisions for the maintenance of churches and chapels in England and Wales."

Sir *R. H. Inglis* said the hon. Baronet who had just sat down had referred to him so frequently in the course of his speech, that he hoped his hon. Friend the Member for North Nottinghamshire would excuse him for endeavouring to address the House as early as possible. Though he would have yielded with pleasure to any Member of the Government, he felt it his duty to take the earliest opportunity of expressing his objections to this measure, and he hoped his hon. Friend would excuse him for not yielding to him on this occasion. No speech, in his opinion, that had been heard in that House during the present Session had been so easily made as the speech which had just been delivered by the hon. Baronet the Member for Leicester, for he would almost take upon himself to say that if reference were made to *Hansard's Debates* for the 25th of May, 1841, there would be found not merely the same arguments that had been used now, but the same arguments and the same quotations from speeches of different Members conveyed in the same words. It was not to be expected, therefore, that to old objections he could oppose other than old refutations. Such, at least, must be the case on a question so repeatedly brought forward, and with such an utter failure as regarded legislation. For, whether they looked at the proposition of Lord Althorp in 1834, or that of Lord Monteagle in 1837, or to the repeated endeavours of the hon. Baronet the Member for Leicester himself, to call the attention of the House to it in what he would consider a happier state of feeling with respect to legislation, it was equally clear, that nothing practically had been done. In one year leave was given to bring in a bill, of which the second reading was afterwards indefinitely postponed, without division or discussion. In another a substitute for church-rates from the Consolidated Fund was proposed, and rejected almost with unanimity by the great dissenting body, of whom the hon. Baronet, the Member for Leicester, was, not unworthily, the organ. At any rate, he had presented a number of petitions to that House urging their claims. He did not say, that the hon. Baronet was identified in principle with that body. It was not necessary for his argument to make that assertion. But the great body of Dissenters, of whom the hon. Baronet was the organ in that House, repudiated as strongly the proposition with respect to the Consolidated Fund as any other mode of providing for the fabric of the Church, on the ground that the Consolidated Fund was the produce of taxation of the country, and that that plan would be only another mode of burdening the consciences of Dissenters—that it would be another way of robbing their pockets, by taking money from them indirectly, instead of directly, in the shape of Church-rates. The hon. Member for Leicester asked him how, with his views of refusing to contribute to the support of that which he did not conscientiously believe, he could be willing to impose the tax of Church-rates on Dissenters? The hon. Baronet told him that he could no longer deny, that the tax was a burden upon conscience, because it was not strictly a burden upon property. He in return would ask the hon. Member for Leicester how he could contend, that Church-rates were not a tax upon property, on the ground of the amount being variable, and because, though imposed by a majority of churchmen in one year, it might be negatived altogether by a majority of Dissenters in the next; how he could deny, on account of such fluctuation, that Church-rates were a tax upon property, and avoid applying the same principle to poor-rates. How did the case of poor-rates differ from that of Church-rates? The poor-rate was fixed by the vestry at so much a pound—in one year 13*d.*, in another 18*d.*, according to the varying wants of the body for whose relief the rate was imposed. Unless the hon. Baronet, the Member for Leicester, could prove that poor-rate, on account of its fluctuations, was not a tax upon property. he was not entitled to say, that Church-rates, because of their fluctuations, were not a tax upon property. In both cases property was liable, according to the discretion of a vestry, and the chief difference between them was, that whereas one was imposed under a law—the Poor-law about two centuries and a half old; the other was imposed under a law of which no man knew the date, but which was coeval with the existence of landed property in England. It was sustained by decisions not merely of the ecclesiastical courts, but of the courts of common law, and until within the last half century the law was never disputed, for though there had been individual suits for the subtraction of tithes, there was no instance of a parish being brought into one of the ecclesiastical courts for refusing a rate. Within the last few years, of course, the case had been different; but still the number of cases in which Church-rates had been resisted was comparatively small. He believed the hon. Baronet would confirm him when he said, that in one year they had been only fourteen. In another year they had no doubt increased to forty or fifty, but, at the same time, he maintained now, as he had maintained before, that the resistance to the maintenance of the law, if met by the means which the law now presented—ameliorated, however, as far as the processes were concerned — would meet with the same result that had attended the maintenance of the law in regard to other matters in this country—that of a gradually diminishing amount of opposition As regarded the Church-rate question, this result had occurred already. The number of cases now in which opposition to Church-rates had been prosecuted in any courts was less than it was when the question was first brought forward. What the cause was he could not undertake to say, but the fact was, that the number of such cases had decreased. The hon. Member, however, had referred to the small amount of money paid in Church-rates by the Dissenters—some 14,000*l.* a-year—and then had applied the argument *ad verecundiam* to him (Sir R. Inglis), asking him whether for the sake of so small a sum he would consent to continue such a burden on the consciences of his fellow-countrymen. That argument told two ways. But, in the first place, he would say, that he never looked upon Church-rates as a mere pounds, shillings, and pence question, nor did he consider that Dissenters wanted merely to be liberated from the payment of a certain amount of money. His claim was this, that Church-rates were a national tribute paid to the national Church, and as such they ought to be continued. He said that the great body of the people of England, so far from feeling this tax a burden, esteemed it a privilege to be allowed to maintain the fabric of the churches by means of Church-rates, and this was proved by the unprecedented number of petitions which were presented a few years ago in support of the existing system. There were not less than 3,188 petitions presented from every part of the country in favour of the existing system. Those petitions were not got up, but were spontaneously sent from people asking to be allowed to continue to pay this burden. They did not feel it a burden. He repeated, that Church-rates were a tribute of the nation to the national Church. Strictly speaking, it would be equally a tribute if paid by the Consolidated Fund; but paid in that way, there would be no diminution in the objection of conscientious Dissenters. In the next place, if the support of the fabric of churches were placed on the Consolidated Fund, it would not be so secure. At present it was a tax on land. It was a tax on a man by name, but in respect of such and such property. He did not understand the hon. Member for Leicester to deny this, at all events there was nothing in his speech to prove the contrary. The Church-rate was a tax on John Thomas in respect of such a house or field, but it followed the property whether John Thomas or John Smith held it. Therefore, he contended it was not a poll-tax, but a tax upon property. With that conviction, he could not understand—he did not wish to use harsh language—but he must say, he did not understand the honesty of the man who, having, in the presence of the auctioneer, made a deduction from the price of a property to the amount of the tax, should turn round and say, that his conscience hindered him from paying that burden because the money would be applied to certain uses. Uses had nothing to do with the payment of a debt. A man was bound to pay his debt, whatever profligate expenditure he might encourage in his creditor. The obligation to pay Church-rates was one to which every acre in this country was subjected. From that obligation the proposition of the hon. Baronet the Member for Leicester would relieve those acres, and against that proposition he would strenuously contend. The hon. Gentleman's immediate proposition would render a Church-rate still legal if imposed on pews or sittings in churches. But it was one great privilege of the people of England—and a privilege which he wished to extend, and not to diminish—to have free access to their parish churches. He would not have them pay for going to church as for going into a theatre. In the majority of parish churches in Leicestershire, the chief part of those who attended were poor persons. The hon. Baronet opposite proposed to levy a tax on sittings in parish churches for the maintenance of those churches. Against that he contended. He maintained that the Church was the church of the poor, and they ought not to be deprived of the privilege of attending public worship by subjecting them to any burden which they did not now bear. For these and many other reasons, he maintained it was inexpedient to grant the permission which the hon. Baronet asked. Believing that his bill was founded on a vicious principle, and feeling that in such case it was more respectful both to the House and the hon. Member, to take the sense of the House at once, instead of giving him the trouble of bringing in, and the House of considering a bill, which at a future stage would be rejected, he would at once oppose the present proposition.

Mr. *S. Crawford* said, that his constituents and he himself felt a great interest in this question. They had met with success on every occasion in contending against Church-rates, and he would therefore trouble the House with a very few words. The question, in his opinion, really at issue was the connexion of Church and State. The question at issue was, whether there should be a Church Establishment in England paid by the people or not. In his opinion, that was the real question at issue. If there ought to be a church by law established, it had a right to Church-rates, If it had a right to tithes, it had a right to Church-rates. It was his opinion that all such practices should be abolished, and no man compelled to pay in any shape for the religion of any other man. The reason why the system of Church-rates was a grievance was, that it compelled one man to pay for another's religion. He thought that all that should be abolished, and therefore he supported the motion of the hon. Baronet, the Member for Leicester, that he conceived the hon. Baronet went far short of the true principle. If he started with the great principle of opposing the payment of any state Church, he would, in his opinion, be more likely to attain his object. The Irish people did not limit their opposition to Church-rates. They contended that tithes should be abolished, and they succeeded in effecting the abolition of Church-rates. He only regretted that they did not persevere with more steadfastness in their opposition to tithes. He called on the hon. Baronet to take the ground of opposition to the claims of any Church to be supported by the State. That was the claim of the Dissenters, and if they did not proceed upon that grand principle, they were not deserving of the remission of Church-rates.

Mr. *H. Gally Knight* said, that the hon. Gentleman who had just spoken had put the question upon its true grounds. The hon. Gentleman objected to Church-rates because he objected to an established Church, and fairly avowed that he thought the one depended upon the other:—that was the very reason which would induce him (Mr. Knight) to oppose the motion which was now before the House. The hon. Baronet who brought it forward had stated, that the sum which the Dissenters paid was paltry in amount. If it was so paltry, why make such a disturbance about the matter? He considered that if there was to be an established Church in the country there must be some compulsory provision for the support of the fabric;—because, without the fabric the service could not be performed, and without a compulsory provision the fabric would not be maintained. He admitted that the voluntary principle was a useful auxiliary, but he asserted that it could not be relied upon as the basis of an institution which was meant to be permanent. Neither would the pew-rents, which the hon. Baronet proposed as a substitute, afford anything like an adequate provision, especially in rural districts. After having frequently and anxiously meditated upon the subject—after having considered the various substitutes which had at various times been proposed, he could not but remain in the opinon that the old parochial system offered more advantages than any other. The fabric is, then, maintained by those in whose sight it ever remains. The "stitch in time" is applied, which saves so much. If repairs on a large scale are required, the expense is chiefly, and cheerfully, met by the landed proprietors in the neighbourhood. No other system would be either so safe, or so economical. And when the hon. Baronet talked of the injustice of the present system, he must deny it *in toto;* because our forefathers had imposed the duty of maintaining the fabric upon all real property: whatever any man had inherited, he had inherited subject to that condition; and whatever he had purchased, he had bought for less money on account of that condition. Now to excuse the Dissenters from this obligation—to relieve their property from this burden, would only be making them a present to which they were no more entitled than other people; and, if the present were made to them alone it would be a direct premium on dissent. A Dissenter might just as well say that he had conscientious objections to the land-tax, as object to the Church-rate. In addition to which, he would assert that, in England, the Church of England was part and parcel of the Constitution—that Constitution of which the Dissenter as much enjoyed the protection as the Churchman—that Constitution under which he would not pass so comfortable an existence, if the Church were not part of it. Whatever the Dissenter pays, he pays because it is an obligation attached to his property, and he pays, not as a Churchman, but as a citizen. He would add, that there was less reason for entertaining this question now than there had been before, because the Church was more on the alert, and because dissent was on the decrease. The proportion of Dissenters to members of the Church of England had never been so great as had been asserted. The dissenters, including Catholics and Wesleyans, had never amounted, in England and Wales, to 2,000,000—whilst the population amounted to 16,000,000, a proportion of 1 to 8. But now the Church, which he admitted, had at one time been asleep—now the Church had roused herself into activity; the duties of the Ministers of the Gospel were efficiently discharged, additional church-room was provided, many who had not been satisfied before now went regularly to church;—the consequence was, that the number of the members of the Church of England is increasing, whilst that of the Dissenters is diminishing. And in this, he confessed, he rejoiced; because he could not but be of opinion that the greatest possible evil arises from a multiplicity of sects, with which England, more than any other country, has been distracted. From that multiplicity arise heartburnings, strife, uncharitableness, and, above all, the absence of that humility without which no man can be a true Christian. Far, therefore, from agreeing with the hon. Baronet who brought forward this motion, he was entirely of opinion that by far the better course would be, for this House to declare that to be law, which is believed by many to be law already, and which few can bring themselves absolutely to assert not to be law—he meant, that the churchwardens should have power to distrain for so much as is absolutely necessary for the maintenance of the fabric, and no farther. He would not ask for a rate for what is called the incidental expenses—for the warming, lighting, the organ, and the like, those things might be left to the congregation,—but he did think that the maintenance of the fabric itself should be secured. The present state of the law provoked opposition—make it clear, and it would soon cease to be disputed, and motions like the present would cease to be brought before that House.

Lord *J. Russell* could not, after the speeches of the two hon. Gentlemen who had spoken last, suffer this subject to pass without explaining the ground on which he would vote. The hon. Member for Rochdale, and the hon. Gentleman who spoke last, both affirmed, that there could be no Church Establishment without Church-rates—that the existence of a Church Establishment and of Church-rates must go together. Now, it did so happen, that, out of the three parts of the United Kingdom, in Ireland there was a Church Establishment and no Church-rates, and in Scotland a Church Establishment, and no Church-rates. There was a different provision in Scotland, by which the landed property of the country was charged; therefore it was not true that there must be Church-rates, as established in England, in order to maintain an Established Church. All that was necessary for an Established Church was, that there should be some provision made by law for the maintenance of the fabric, and for the performance of public worship. If that was the state of the case, then the question was, whether there was any considerable evil, any existing grievance which should induce them to alter the form in which Churches were at present maintained. The hon. Gentleman who spoke last thought, that the old mode was the best, and yet suggested an alteration of that law which he thought so excellent—admitting, at the same time, that heart-burnings were caused by the present system. That was admitted, and the existence of such evils could hardly be denied. There were contests carrying on from year to year with respect to Church-rates, and, whatever way the majority was, the evil was great. If there was a majority against Church-rates, the rate was refused, and the Church left to voluntary contributions. If the Church-rate was granted, it was a triumph to the Churchmen over the Dissenters, and a humiliation to the latter, who were thus more alienated from the Church than they would otherwise be. These evils the hon. Baronet who made the present motion proposed to remedy. He did not propose simply to abolish Church-rates, but to make another provision for the maintenance of churches. He thought it perfectly fair, to make a proposal for the abolition of Church-rates, provided care was taken to make provision by law for the maintenance of churches. He might not agree with the particular provisions of the hon. Member's bill when they came before the House. They might be found insufficient, and either upon the second reading, or in committee, he might have to vote against it. It was not very likely that the hon. Gentleman would be able to carry his measure, but he hoped the grievance of Church-rates would not be of many years' duration. Considering how much the present system was objected to by Dissenters, he thought that the proposal made by Lord Althorp, in the name of Lord Grey's Government, to provide a substitute for Church-rates out of the public revenue would be a far better arrangement than the present law. But he certainly did not expect that the Government, in the present year, would introduce any such plan, having many other matters to occupy their attention. He, therefore, did not blame them for not having brought forward the question of Church-rates in the present Session. But he did hope, that the measure would not escape their notice in some succeeding year, but that they would seriously turn their attention to the subject, and endeavour to devise some mode by which the maintenance of churches might be adequately provided for without giving rise to those contests which were so injurious to the Church, and so humiliating and vexatious to Dissenters.

The *Chancellor of the Exchequer* said, that although he differed from the vote to which the noble Lord was about to come on the present occasion, still he agreed with very much of the principles which the noble Lord had laid down in the commencement of his observations,—namely, that it should be an essential point with them to secure the maintenance of the Established Church, for the purpose of affording religious instruction to the great body of the people. Agreeing, then, with the noble Lord on that principle, they had then to discuss what was the best mode in which that provision could be made. Before, however, they consented to abolish the existing system, he must be satisfied as to the means that were to be provided to supply a better mode for repairing the fabric of the Church. He must say, that before he gave a vote for the abolition of the present system of Church-rates, he must be satisfied, that the project offered to him, was likely to answer the purposes to which it was to be directed. He gave to the hon. Baronet who brought forward this measure, credit for the greatest possible sincerity, when he declared it was his wish that there should be adequate means for maintaining the fabric of the Church; but then he must say, that the hon. Baronet had signally failed in the attempt that he had made to provide these means. When the hon. Baronet last year brought forward this subject, he acquiesced in the motion for bringing in the bill, in order that he might see what the proposition was. The hon. Baronet had submitted it to their judgment; they could see whether they could possibly accept it. He had it now before him. The hon. Baronet had detailed it at considerable length; and the House was now in a condition to say, whether they would adopt the principle, or object to it. The noble Lord concurred in this, that they ought to establish proper funds for the maintenance of the churches in this country. What, however, was the remedy proposed by the hon. Baronet? That the charge should fall upon pew rents, and, that with the exception of the churchwardens and ministers, the people should be charged for their pews, a sum adequate to execute the repairs that might be required.

He said, that that was directly at variance with the principle of an Established Church. The gospel was to be brought to the poor, and the hon. Baronet took the surest means for preventing the gospel from being so preached. The hon. Baronet, he knew, said, that he exempted the seats, that were specially allotted to the poor. That might apply to modern churches which were established by special funds, and by which there was a provision, that there should be a certain number of seats for the poor—it did not apply to churches in the country. He lived in a parish, in which pews in the church were held by each holder of a cottage, who from time to time succeeded to it. They did this, not in the character of the pauper, but they had their seats in the church just in the same way as their wealthy neighbours. They had an honest pride, as inhabitants of the parish, in holding their seats—in having a right to their seats in the house of God, and being free to hear the word of God. But what was the plan of the right hon. Baronet? that for the future the churchwardens must put up, if not at auction, yet at a fixed price it must be taken by the parishioners. He asked the hon. Baronet what was to be done, if, in some church, it was found, that considerable repairs were required, and the number of pews extremely limited? What then was to be done? Were the churchwardens to estimate the amount, and when 200*l.* was required, and only twenty pews, was each pew to be charged 10*l.*? And if it were, and the pews to be occupied only by those who paid, must it not be the means of excluding the poor? To that plan, and to that principle, he could not concur. It would exclude from the Church those who had a right to sit there. Still less could he accede to the plan, that if the parishioners were too poor to take their seats at the price set on them, that they were to admit persons from the neighbouring parishes to occupy them—thus driving the parishioners out of their own church, and those seats which the law allotted to them. This, he conceived, would give rise to great hostility, to great complaints, and so far from relieving the evils that were said to follow from Church-rates, that the walls of the House would be made to ring with complaints of such a grievance, and Parliament would be at once called upon to put a stop to it. The remedy proposed was one, that he could not concur in, and therefore he could not consent to the motion, that was proposed to them.

Mr. *O'Connell* did not agree with the hon. Gentleman in much that had fallen from him. He particularly differed from him in his historical account of the early Church. The hon. Gentleman had said, that in modern churches there were seats for the poor, but the ancient churches were occupied with pews. The hon. Gentleman was historically mistaken. In the ancient churches there were no pews at all. They were free to the public of every kind. "The gospel was," indeeed in them, "preached to the poor," for in them there was no distinction between the rich and the poor. He differed, too, from the principle which the hon. Gentleman had stated, that they ought to maintain a church by a Church-rate. Why, they could maintain and uphold a church without any Church-rate at all. They had already an instance of this in the case of Ireland. There there existed an Established Church, and Church-rates did not exist. But there was a stronger case than that. They had also there a church with its regular hierarchy, without a particle of Church-rate, without a Government provision, without any legalised contribution in any way. They had twenty-seven archbishops and bishops besides, and other dignitaries of the church; they had subsisting an entire unbroken hierarchy, and they did not require the crutch of the State to keep them up. Were they to tell him that the Protestant religion was not at least as good as the Catholic religion; that it could not rest in security on the sincerity and devotion of its adherence? Were they to say that they could not support their Church without resting upon something that was foreign to it? There was, he thought, something dishonest in the argument of the hon. Baronet, who said that persons did not bid so high for property because it was liable to Church-rates—that when the property or land was put up by an auctioneer, it was calculated what was the Church-rate, and deducted that from the price they offered it. Let them suppose a man wished to buy a piece of land—it was subject to the land-tax—that man deducted from the purchase money the amount of the land-tax. The exigencies of the State required it; but let it be supposed that the tax were no longer necessary—that it was abandoned—would the man be regarded as unconscionable because he would not in that case give up the land he had purchased with the land-tax affixed?—or would it not rather be affirmed that he had made a bargain, and had a right to abide by it? The Church-rate was a tax, but it was not a tax at common law. At common law tithes were given, and one of its purposes was the sustentation of this charge. It was by the statute of Edward 1st. that Church-rates were enforced. It was a tax created by act of Parliament, and, like every other act, it could be repealed by act of Parliament. Now, the application of Church-rates to the building of churches was quite a modern practice. Up to the time of the Reformation, the Church-rates were for the repair of churches, and not for building them. All the churches that were built up to that period were built by means of voluntary contributions. And yet, did England then want churches? No; she had four times as many churches then as she has now. There were not less than 55,000 churches, and not less than 44,000 free chapelries and chapels of ease, and every one of these was built on the voluntary principle. He had the documents to prove the facts he mentioned, if they were denied. He asked them, then, to contrast the situation of England then and what it was now, when they impose a tax for building churches. They were right in canvassing the nature of this tax, and in seeking to be free from it. The object for which it was raised was a serious objection to it. It was against the conscience of a Christian man to pay for the support of a church, which he believed taught erroneous doctrines. And he would ask the hon. Baronet opposite—he did not do so disrespectfully, for none were less inclined to an harsh expression to another than that hon. Gentleman—but still he would ask him, that supposing a Church-rate were to be levied to-morrow for the Roman Catholic church, would not the hon. Baronet shrink from it? Would not the hon. Baronet be inclined to think that he ought not to pay it? That his conscience might not be quite safe in paying it? Although, perhaps, some lingering feeling as to the ancient faith of Oxford might instigate his hostility? An hon. Gentleman (Mr. Gally Knight) had spoken of the church awaking after sleeping the greatest portion of the century. He believed if there were new energy in the church, it was not with the object of increasing the number of Dissenters, but it was to dispose her to shrink more and more from dissent, and to come back again to that state where unanimity could alone be found. The hon. Baronet (Sir R. Inglis) had referred to petitions from persons who wished to pay Church-rates. Why, no one asked for a law to prevent those who chose from paying Church-rates. He greatly feared that those pious individuals were not asking so much for leave to pay rates themselves, as to throw the burden of payment upon somebody else. No one wished to prevent others from being generous, but that they themselves might be relieved from a grievous burden. He said it was a burden upon conscience for a man to be called upon to pay for doctrines he did not believe to be true. He would not wish to say anything in disparagement of the Established Church; but this he would say, that no man would consent to pay, for instance, for the promulgation of doctrines which denied the redemption or that impugned the Christian faith. On the same principle, but of course in a lesser degree, he said that no man ought to be called on to pay for the religious observances of another.

Sir *John Easthope*, in reply to the observations of the right hon. Gentleman, the Chancellor of the Exchequer, begged to assure the House, that no one could be more unwilling than himself to do anything to endanger the fabric of the Established Church. He did not desire nor intend it, and as far as his influence extended, he would not permit it. No one was more desirous than he was to see the fabric of the church properly and securely supported. He must also add, in corroboration of his own convictions, that his plan would lead to no difficulty; that it was not mere theory; it was a plan that had practice in its favour. In confirmation of his conviction, that the religious zeal of members of the Established Church would not fail when properly appealed to, he would state as a fact within his own knowledge, that in a small village in the county of Surry, wherein it had been lately found, that the number of church pews was insufficient for the growing population, there, without an appeal to a Church-rate—in a very small village, too—upwards of 600*l.* were subscribed in a very short time, for the purpose of enlarging the church. If such manifestations of regard for our national church could be seen in a small village, who, then, ought to doubt the sufficiency of voluntary aid, and the means suggested by his proposed measure for the general support of the fabric of the Church? He knew, and deeply felt for those who laboured under the grievance entailed on them by the enforcement of Church-rates; he knew how deeply it was felt; he proposed a remedy—he believed a sufficient remedy; and he trusted that the House would adopt it.

The House divided;—Ayes 80; Noes 162; Majority 82.

List of the AYES.

Aldam, W.
Barnard, E. G.
Bernal, R.
Brotherton, J.
Busfeild, W.
Clive, E. B.
Colebrooke, Sir T. E.
Craig, W. G.
Crawford, W. S.
Currie, R.
Curteis, H. B.
Dalmeny, Lord
Divett, E.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Dundas, D.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellice, E.
Ellis, W.
Ewart, W.
Ferguson, Col.
Fitzroy, Lord C.
Gibson, T. M.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Heathcoat, J.
Hill, Lord M.
Hindley, C.
Hutt, W.
Johnson, Gen.
Johnston, A.
Labouchere, rt. hn. H.
Leader, J. T.
Macaulay, rt. hn. T.B.
M‘Taggart, Sir J.
Marjoribanks, S.
Marsland, H.
Maule, rt. hon. F.
Mitcalfe, H.
Morris, D.
Morrison, J.
Murphy, F. S.
O'Connell, D.
Ogle, S. C. H.
Ord, W.
Paget, Col.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Philips, G. R.
Philips, Sir R. B. P.
Protheroe, E.
Rice, E. R.
Rundle, J.
Seale, Sir J. H.
Sheil, rt. hon. R. L.
Smith, rt hon. R. V.
Somerville, Sir W. M.
Stanley, hon. W. O.
Stuart, Lord J.
Stuart, W. V.
Strutt, E.
Thornely, T.
Troubridge, Sir E. T.
Villiers, hon. C.
Vivian, J. H.
Vivian, hon. Capt.
Walker, R.
Wallace, R.
Ward, H. G.
Wemyss, Capt.
Wood, B.
Wood, C.
Worsley, Lord
Wyse, T.

TELLERS.
Easthope, Sir J.
Phillips, M.

List of the NOES.

Allix, J. P.
Antrobus, E.
Arkwright, G.
Astell, W.
Bailey, J.
Baillie, Col.
Baring, hon. W. B.
Baring, H. B.
Bateson, R.
Beresford, Major
Blackstone, W. S.
Bodkin, W. H.
Botfield, B.
Bramston, T. W.
Brooke, Sir A. B.
Bruce, Lord E.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Carnegie, hon. Capt.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christopher, R. A.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Cochrane, A.
Cockburn, rt.hn. Sir G.
Collett, W. R.
Compton, H. C.
Corry, rt. hon. H.
Courtenay, Lord
Cripps, W.
Damer, hon. Col.
Darby, G
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Duncombe, hon. A.
Duncombe, hon. O.
Du Pre, C. G.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Estcourt, T. G. B.
Farnham, E. B.
Feilden, W.
Ferrand, W. B.
Fitzroy, Capt.
Fleming, J. W.
Ffolliott, J.
Forbes, W.
Fremantle, Sir T.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt.hn. W.E.
Gladstone, T.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. R. O.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Grant, Sir A. C.
Greene, T.
Grimsditch, T.
Grogan, E.
Hamilton, W. J.
Hampden, R.
Harcourt, G. G.
Hardy, J.
Hawkes, T.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hinde, J. H.
Hodgson, R.
Houldsworth, T.
Holmes, hn. W. A'C.
Hope, hon. C.
Hope, A.
Howard, Lord
Hughes, W. B.
Hussey, T.
Ingestre, Visct.
Irton, S.
Irving, J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Lawson, A.
Lefroy, A.
Legh, G. C.
Lincoln, Earl of
Litton, E.
Lockhart, W.
Lygon, hon. Gen.
Mackenzie, W. F.
Mackinnon, W. A.
Maclean, D.
M‘Geachy, F. A.
Mainwaring, T.
Manners, Lord J.
Marsham, Visct.
Martin, C. W.
Masterman, J.
Meynell, Capt.
Miles, P. W. S.
Morgan, O.
Munday, E. M.
Murray, C. R. S.
Neville, R.
Nicholl, rt. hon. J.
Northland, Visct.
O'Brien, A. S.
Packe, C. W.
Patten, J. W.
Peel, rt. hon. Sir R.
Pringle, A.
Pusey, P.
Reid, Sir J. R.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Russell, J. D. W.
Sandon, Visct.
Scarlett, hon. R. C.
Scott, hon. F.

Shaw, rt. hon. F.
Sheppard, T.
Sibthorp, Col.
Smythe, hon. G.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, Lord
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Taylor, T. E.
Thornhill, G.
Trotter, J.
Turnor, C.
Vere, Sir C. B.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Walsh, Sir J. B.
Welby, G. E.
Wilbraham, hon. R. B.
Wood, Col. T.
Wortley, hon. J. S.
Young, J.

TELLERS.

Inglis, Sir R. H.
Knight, G.

CAPTURED SLAVE-VESSELS.] Captain *Pechell* rose to move for certain returns of which he had given notice. He had to complain that vessels condemned by the courts of Sierra Leone, of from seventy to eighty tons, were only estimated at forty tons, and thus the captors lost much of what was strictly due to them. By an omission in the act of 1839 the proceeds of slave-vessels captured had never been distributed to the captors, and it was therefore desirable that the country should know in what department the mismanagement lay. The prizes were valued by the Admiralty at extraordinarily low prices, and a disproportionate amount of the proceeds was paid to the captors. He hoped the Government would not be scared by the treaty of Portugal, or by the apprehension of a rupture with the United States, or by discussions in the Chamber of French Deputies, but that it would cause some efficient alteration to be made in the existing law, and would take care that the proceeds of vessels captured should be disposed of in the manner originally intended by the act of 1839. The hon. and gallant Officer moved,—

> "For a return of slave-vessels brought before the several courts of mixed commission or before the British Vice-Admiralty Courts for adjudication between the 1st day of January and the 31st day of December, 1840, with the name of the capturing ship and the commander thereof, describing the flag under which each vessel was seized; distinguishing those under the late treaty with Spain and under the act 2 and 3 Vic. c. 73; the registered tonnage of each vessel as well as that by British admeasurement; and if slaves on board, stating the number at the time of seizure, the date of the decretal part of the sentence, whether forfeiture or restitution, with the amount of proceeds of sale or of costs awarded, the expenses of condemnation and of breaking up of each vessel; the period when the proceeds for distribution were paid into the Registry of the High Court of Admiralty, and when the same were paid to the captors. Also, account of all claims for the several bounties or tonnage between the 1st day of January and the 31st day of December, 1841, and of all slave-vessels that have been taken into her Majesty's service under the provisions of the act 2 and 3 Vic., c. 73; stating the appraised or estimated value of the same, the registered tonnage as well as that by British admeasurement, and the sums which the commissioners of the Admiralty have deemed proper price for the same."

Sir *G. Cockburn* not having received any intimation of the gallant Officer's intention, was not prepared to say how or where these vessels were valued. All he could say was, that he had never heard any complaint of the conduct of our navy on the coast of Africa, and that he believed the officers there exerted themselves to the best of their ability, and to great effect. He had reason to believe also that the slave-trade was rapidly decreasing, and that not a single slaver was fitting out at Havanna. If it were desired, he should be happy to afford any information that it might be in his power to give on a future occasion.

Motion agreed to,

DISTRESS OF THE COUNTRY.] Mr. *Ferrand* said, that, in rising to submit his motion to the House, respecting a grant of money to the distressed manufacturers, overflowing as its benches were (there were barely forty Members present), he was prepared to offer his testimony, residing, as he did, in the heart of the manufacturing districts, and having means of ascertaining the truth, not only from what he himself saw, but from the best authority, to the fact that distress of the most fearful description was now raging in every quarter. He must appeal to the House to do their utmost to relieve the poor industrious classes in the manufacturing districts, and save them from starvation. He believed that there was no one in that House who would stand up and declare that the labourers in the manufacturing districts were not suffering the most fearful distress, and the House had it on the highest authority that the people had borne this distress with a patient endurance which claimed not only respect, but an earnest desire to relieve them. He found that in the speech from the throne her Majesty used the following language:

> "I have observed with deep regret the continued distress in the manufacturing districts of the country. The sufferings and privations

which have resulted from it have been borne with an exemplary patience and fortitude."

He was prepared to prove, that the legislation of that House had caused this distress, and therefore they were bound to assist in relieving it. He made this statement, not only on his own authority, but on that of the right hon. Baronet, the Prime Minister of this country, who said on the 9th of February of the present year, when addressing the House on the Corn-law question.

> "If you look to the immigration of labour from the rural districts to the seats of manufactures, and to the immense increase of mechanical power which took place in the course of the years 1837 and 1838, you will hardly be surprised to find that the result which has before attended similar excitement and stimulus should again ensue."

This great immigration of the working classes into the manufacturing districts was caused by the New Poor-law. He held in his hand a letter written by a large cotton-spinner in Lancashire to Mr. Chadwick, the secretary to the Poor-law commissioners, relating to the removal of labourers from the southern districts to the north, part of which he would take the liberty to read to the House. The writer said,—

> "Perceiving, as I do, that the right understanding of this subject of immigration may become a means to promote the future welfare of the workmen and their families, some of whom may be suffering great distress, that by immigration they may be enabled to elevate themselves and their children to the honourable condition of independent labourers, I feel anxious that the best attention of the Poor-law commissioners should be directed thereto, and I would respectfully suggest, that one or more of the body should come down to this neighbourhood to ascertain the condition and prospects of the working classes, to examine the extensive preparations now making to furnish further employment, and thereby judge for themselves what course they can best recommend or adopt."

That letter was dated the 13th of February, 1839, and signed, H. Askworth. After the poor people had been removed according to this plan from the rural districts of the south of England into the manufacturing districts a stimulus was given for a time to trade, and things went on with apparent prosperity. During that time he found, that the House of Commons voted 20,000,000*l.* of money for the emancipation of the black slaves of the West-Indies—men, who he was prepared to prove were a thousand times happier, and more contented, more prosperous, and better provided for, than the workmen of the manufacturing districts of England were at the present time. He would give the House the opinion of a Gentleman, who he was proud to say, was a fellow-countrymen of his own, a Whig in politics, and a Roman Catholic in religion, respected by all who knew him, and deservedly so. He found in Mr. Waterton's work, describing his wanderings in Demerara in 1816, a passage denying in the strongest terms, that the condition of the slaves was so deplorably wretched, as it had been represented. Mr. Waterton said,—

> "It is not so. A Briton's heart, proverbially kind and generous, is not changed by climate, or its streams of compassion dried up by the scorching heat of a Demerara sun; he cheers his negroes in labour, comforts them in sickness, is kind to them in old age, and never forgets that they are his fellow-creatures."

What a pity it was that the manufacturing workmen of England were not at the present moment so well off as the slaves of Demerara had been. Were their masters' hearts open to their wants and distresses? Were they ready to relieve them? Did they soothe their hours of sickness and declining years? Were they not cast out to perish at the present moment, and dying at the doors of their masters? There was no one to relieve them and protect them, and he would appeal to the House of Commons, the representatives of the people, to save them from destruction. He asked for a grant of the public money to the manufacturing labourers, on the broad ground, that it was their right. The Legislature of the country had reduced them to their present state. Were the working classes of the north of England dying of want before the New Poor-law passed? Were they starving before the Poor-law commissioners passed them by tens of thousands into the manufacturing districts, and decoyed the poor wretches from their homes in the south by telling them their removal would put an end to their distress, would procure every comfort for themselves and their families, and would save them from want in old age, by enabling them with frugality and industry, to retire to competence. He would now quote the language of a noble Lord justly respected not only in that House House, but throughout the whole country —he meant the Secretary for the Colonies. On the 33rd of July, 1833, during the debate on the Slavery Abolition Bill, the noble Lord, when calling upon the House to agree to a grant of 15,000,000*l.* by way of compensation to the West-Indian planters, was interrupted by Mr. Fryer, who asked,—

> "Why should we pay anything?

And the noble Lord said,—

> "The hon. Member has asked a short and pithy question. He would tell him why the planter should be indemnified, because the principles of justice required that no man's property should be taken away without compensation."

But the working classes had their property taken from them without compensation. What right had they to send forth a mighty mass of labourers from the south to the manufacturing districts of the north, for the purpose of relieving the proprietors of the soil? The noble Lord went on to say,—

> "Because the laws of England forbade taking away a man's property without the consent of the owner; because in this case the property would be taken away in a manner the most offensive."

Could anything be more offensive than the manner in which the men from the south had been made as strangers in the land to compete with those in the north? Could anything be more disgraceful to England than the state of the working classes in the north of England at the present moment? The noble Lord continued:—

> "Acting on the principles of justice, the House had declared that emancipation and compensation should go together."

Well, then, the landed interest in the south of England had been emancipated from the charge of the poor, by which means it was calculated they had put into their pockets at least 2,400,000*l.* This was not a party question; both sides of the House were to blame, the landed proprietors of England, for agreeing to carry out the principles of the New Poor Law, and the manufacturers of the north were most reprehensible for holding out to the working classes inducements to migrate thither which they knew they could not realize. Those poor people had been sent from the south into the manufacturing districts under promises the most exaggerrated—with pledges not only from the Poor-law Commissioners, but also from the owners of the soil, as well as the manufacturers themselves, that they should never again know distress or want. Oh, what a frightful state the north of England was in at this moment! He stated what he knew to be true, that there were thousands of the working classes, those who had been induced to migrate from the south, now actually living on boiled nettles, drinking the water in which the nettles had been boiled as a beverage, and lying in bed during the day for the purpose of saving their bodies from the exhaustion of walking about. And what were the measures which had been adopted for the purpose of rescuing the working classes from the deplorable condition in which they were involved? The right hon. Baronet at the head of the Government had satisfied an immense majority of the people that he was exceedingly anxious to relieve the necessities of his indigent and distressed fellow-subjects; and, although differing from the right hon. Baronet on some of the questions brought forward, he would say there never had been in the history of this country a Prime Minister who laboured with such mighty determination, and such great talents, to bring about relief to the working classes. He would quote a sentence or two from him; and call upon the manufacturers of England, to whatever party they might belong, to learn thence their duty to those who had built up their enormous wealth, and who were literally dying from want at their very doors. The right hon. Baronet said, in words that ought to be written in gold, to be remembered while he lived and long after he was dead:—

> "I am one of those who have derived our fortunes from the industry of the operative classes, and I trust that others, who owe their prosperity to the same cause, will feel as I do —that it is our duty to relieve the public, by taking on ourselves the charge of a just requital to those classes from whom our prosperity has sprung."

Here was an appeal to the manufacturers; had they responded to it? Had they done their duty? Had they rendered a just requital to the working classes? Had they not rather stood by and seen them die by their side? Did any one ever see a more paltry sum than had been raised for the distressed manufacturers' committee? It was a disgrace to England; and he would tell the House whose fault it was that the subscription had been a failure. It was to be ascribed to the efforts of those wicked and unprincipled men who were abroad in the country endeavouring to take advantage of the distressed state of the working classes—hired lecturers, base and cowardly wretches, going about like thieves in the dark, striving to excite men to rebellion, but who, in the hour of danger, instead of appearing at their head, skulked off, and left their ignorant dupes, when the law performed its office, either to be trampled under foot by the military or led to the scaffold. Throughout Yorkshire and Lancashire they had circulated a beastly, filthy placard, headed "Murder," and stated that a minister of the gospel in the neighbourhood of Stirling had declared that a shopkeeper and a constable, having gone into a poor man's house who had stolen three potatoes, found a pan on the fire (if fire it could be called where there were but a few burning embers), and in the pan a dog boiling with the three potatoes. He had it from the best authority that there was not a syllable of truth in the whole statement, yet it was circulated at enormous expense by men having education, and who under the blessing of God, and the laws of this country protecting them, had been enabled to amass millions in order to excite the illiterate and distressed into rebellion. But he was happy to say the working men resisted the base instigations of these evil men, and appealed with loyalty and devoted affection to their Queen and country, to the House of Commons, the representatives of the people, saying, "In God's name have mercy, help and save us from death." The distress which prevailed pressed heavily on the mind of our devoted, beloved, affectionate, and maternal Queen. Her Majesty, deeply commisserating the sufferings of her people, had appealed to the affluent, in what was called "the Queen's Letter," imploring them to come forward and rescue the working classes from destitution and misery. Had the Queen's Letter been responded to as it should have been? It had not. The Queen felt more deeply for the distress and suffering of her people at the present moment, because there was none to deliver them. She had done her duty towards her poor subjects; an obstacle stood in the way, or she would have relieved them long ago. That impediment was the British House of Commons. With deep humility he suggested a response to the wishes of her Majesty; and in the name of the distressed among the working classes he called upon that House, in whose hands alone were the means of saving them from destitution and death, to relieve their dreadful necessities. He begged leave to move—

"That the House will, on Tuesday, the 21st of this instant June, resolve itself into a committee of the whole House, for the purpose of taking into consideration the following resolution:—that it is the opinion of this House that immediate measures be taken to alleviate the deplorable distress and destitution which now afflict many of the working classes in the manufacturing districts, and that an address be presented to her Majesty, beseeching her Majesty to employ for their temporary relief a sum of money not exceeding 1,000,000*l*, sterling, and that this House will provide for the same."

Sir *R. Peel:* Sir, I hope that the decided opposition which I shall feel it my duty to offer to this motion will not be construed into any symptoms of an indifference on my part to the distresses of the people. I feel, Sir, most deeply for those distresses, but feeling for them and deploring their existence, I still never can consent to establish so fatal a precedent as to give my assent to this motion, on behalf of the Crown, nor will I ever consent to sanction so fatal a mistake as to imply that the distress of the people at large could ever be alleviated permanently or properly by such an expedient as to temporary and a limited grant of the public money. If the allegations of the hon. Member with respect to the sum of 2,400,000*l*., saved to the landowners of the south, by the emigration of the working classes to the north, be true, it is upon them that the burden of giving temporary relief ought to fall. How could the sum of 1,000,000*l*., which the hon. Member proposes to grant, be levied but by taxation; and upon whom does this burden of taxation fall but upon the labouring classes, who are the chief consumers of the articles upon which taxation is levied? If the motion of the hon. Gentleman were to be granted, it would establish, I beg to say, a fatal precedent, and one which would be constantly recurred to in similar cases. One of the bad consequences which would arise from it would be the immediate cessation of all efforts at raising charitable funds in the locality of the distress. The obligation to make strenuous efforts to raise funds for the relief of the poor, was both legal and moral upon those who were resident in the same locality with them. I will not enter upon this subject further, nor am I willing to go into a discussion of the facts, so called by the hon. Member for Knaresborough. But when he states, that he has inquired into the story of a dog having been boiled with three potatoes, and that he had found it to be false from beginning to end, I confess, I think it might have been hoped he would have exercised the same prudent caution with respect to the story of the boiled nettles; and he might have been expected to have suppressed that statement unless he had cautiously assured himself that it was not an exaggerated story. I entirely agree with him in one respect, that the distressed people have a strong claim on the munificent charity of the opulent classes; and if the public attention be strongly called to these charitable endeavours much good may be done by them. I hope that those who are affluent will contribute liberally as soon as they find their efforts are still needed; and, moreover, I hope that the opposition which I must offer to the hon. Member's motion will not be construed into indifference; for I can assure the House, that the Government is labouring silently, though indefatigably, to alleviate the sufferings of the working classes, and with some hopes of success. I trust, therefore, that the House, however alive it may be to the distresses of the people, will never consent to establish such a precedent as would be created by any attempt to interfere, by legislative grant, for the purpose of affording relief under the circumstances of the case.

Mr. *F. Maule*: Nobody could question that a deep feeling of sympathy prevailed, on both sides, with the sufferings of the working classes; but he must deprecate such language as that used by the hon. Member for Knaresborough, who, at a time when the people were suffering severely, thought fit to say of the manufacturers, who raised this country to its present greatness, that the people were perishing at their doors. He regretted the use of such terms, when speaking of a population which was undergoing great misery. He should oppose the motion.

Dr. *Bowring* wished to make one observation. The hon. Gentleman (Mr. Ferrand) was in the habit of condemning the emigration from the south to the north of England. He felt bound to say, that a friend of his an intelligent and excellent man, was a party to that immigration. He proposed, that the working classes of the south should have the advantage of higher wages than they possessed in their original place of habitation. He (Dr. Bowring) had the advantage of seeing these people lately, and he ventured to say, that all connected with Mr. Ashworth stood in advantageous contrast to much of the misery by which they were surrounded. There was no living man who had a stronger desire than Mr. Ashworth to benefit the working classes, and if the hon. Member for Knaresborough wished to see a population contented and happy, he should point to those who were privileged in having Mr. Ashworth as a master.

Captain *Polhill* said, that as the hon. Member had received an assurance from the right hon. Baronet at the head of the Government that her Majesty's Ministers deeply sympathized with the present sufferings of the population, he would, probably, feel that it was merely superfluous on the part of an individual Member to take up a measure of this kind. His hon. Friend could not do better than trust the matter to the care of the Ministers and withdraw his motion.

Sir *R. Peel* said, he could not consent to accept the vote of his hon. Friend who had just spoken, on account of any misconstruction of the observations which had fallen from him. He objected, decidedly, to a vote of public money being taken with a view to ameliorate the distress of the country; and his hon. Friend must not suppose that in the event of the failure of the present motion, Government would take any similar measure into consideration.

Mr. *Ward* gave the hon. Member the fullest credit for a sincere desire to alleviate the distress of the country, but it was his firm belief that the hon. Member's proposition, if carried, would rather tend to aggravate the distress and drag down those classes which were still sustaining themselves against the difficulties of the time to the same level as the class it was now proposed to relieve. The present distress, he feared, was not of a temporary nature, and the proofs of its magnitude were rushing in every day. He had received a letter from one of his constituents in which it was stated, that it was impossible to overrate the prevailing distress among the labouring and commercial classes. Those who four years ago were in a state of comparative prosperity now saw hardly a hope left them. They certainly did not see hope in those changes which the right hon. Baronet had effected in the tariff, though they were all in the right direction. But they did not come home to the point—they did not open a sufficiently wide field for our trade elsewhere, and especially in the United States. He had been entreated to make a statement of the actual condition of the labouring population in Sheffield, and contrast it with the condition of the population in 1836. In the latter period there was not one man of common industry and decent character who was not employed at good regular wages. Since that time the progress had been constantly downwards. No effort of industry could enable the population to make good their ground against the influence of the narrow commercial policy of the country. The trade with the United States was destroyed by the refusal to take American flour, and so far from the spring having brought with it a better prospect of relief, as the right hon. Baronet had anticipated, all hopes of the amelioration of the distress had vanished. Whereas, in 1836, there was not one individual to be found in Sheffield on the casual relief fund, the sums paid to men willing and able to work up to March in the present year had been 229*l*. per week. Since then it had gone on increasing to 312*l*., 350*l*., 370*l*., and 390*l*., and in the last three weeks the sum paid was 1,115*l*. The policy of the right hon. Baronet had not gone far enough, but must be extended. The right hon. Baronet must therefore take the subject of the present distress into his serious consideration, but not with a view of temporarily relieving it by the expedient of a money vote, which would not enable the Government to alleviate the distress by any possible devices which they could adopt. In point of fact, the ruin of the country, or its escape from its present state of suffering, depended entirely on the policy of the Government in the succeeding year. For these reasons, though deeply sensible of the sufferings of the population, he was unable to support the motion of the hon. Gentleman opposite.

Captain *Polhill* begged to say one word in explanation. He had been misunderstood by the right hon. Baronet (Sir R. Peel). He did not mean to say that Government would attempt to alleviate the distress by a grant of money from the public funds, but only that they would use their best exertions to alleviate it whenever it was brought under their notice.

Mr. *Villiers* rose in consequence of the right hon. Baronet having adverted to a statement made by him relative to the distress in a certain district of Scotland. It alluded to a poor Catholic family, who were found in such destitution, that they were actually eating a dog which had been boiled in the house. The hon. Member for Knaresborough, who was not in his place, stated that there was no foundation for that statement. He would ask the House to pause before they believed that there was no foundation for that, when he told them on what authority he made that statement. Seeing the hon. Member in his place, he would again repeat that he hoped the House would pause before they supposed that that statement was without foundation, as the hon. Gentleman himself often made statements which were loose and turned out to be untrue. No doubt the hon. Member believed them, but he did not take the trouble to inquire into them. The statement he had made he had seen in a Scottish newspaper, and the paragraph had been copied into an English paper. This it was that he stated to the House, and he had since written to the Provost of Stirling, and he had received an answer, saying that he would inquire into the subject. His hon. Friend gave the hon. Member credit for benevolent motives. He did not wish to dispute his benevolence, but he did not agree with his system of personal attacks. Both from the hon. Member's manner, and the topics he introduced, he always seemed to have a party object. He had described persons who were going about the country lecturing for the purpose of misleading the people. He begged to tell the hon. Member that the people of this country were well enough informed to appreciate the motives of such persons. He begged to remark that the hon. Gentlemen who had brought these charges had been for nine months resorting to every topic calculated to excite the common people both in that House and out of the House. The hon. Member had referred to the ill usage of men by their masters. The hon. Member had alluded in the most violent language to the mode in which the public relief had been administered. But the people were in a far different state to what they were in when the hon. Member first began. The people's patience was nearly exhausted. He had stated these things so frequently, that the people now began to believe them, and he could not help thinking that the hon. Member was beginning to be a little alarmed at the aspect and state of the country. He thought the hon. Member had pretty strong evidence on his own committee. It was there stated that one cause of the riots of Newport was the exciting topic of the truck system.

Mr. *Ferrand* rose to order.

The *Speaker* intimated that what had occurred on a committee then sitting could not be alluded to by the hon. Member.

Mr. *Villiers* only mentioned this to show that the hon. Gentleman was beginning to get alarmed. He thought he could not read a newspaper without seeing some cause for apprehension from the distress and temper of the people. Complimented they had been, no doubt, on their patience, but there was something different in their spirit. Now the hon. Member came forward, without the most distant chance of success, and in the most reckless and loose manner proposed that one million should be given to the people. Did the hon. Member mean to say, that even for one instant the hon. Member had an idea that the grant would be made. What was the course of the hon. Member on every single measure that was calculated to relieve the people? If those who advocated the repeal of the Corn-laws were wrong in proposing that relief, they had also proposed to give the people the power to legislate for themselves. The hon. Gentleman refused them that relief—he refused them the power of legislating for themselves. He had refused to repeal bad laws, causing a burden to the people of millions sterling a-year. The people came there and claimed their political rights, they claimed to have the power of redressing their grievances, and pointed at the character of the legislation which caused them. Where was the hon. Gentleman then? Was he for extending that power? The hon. Member condemned that House, he had said that it was standing between the benevolence of the Crown and the poor. But when the question of reform of abuses came before the House, where was the hon. Gentleman? Did the hon. Gentleman think the people were so stultified as to give credit to his motives in proposing a measure which could not relieve the distress such as had been described? He could not suppose that the hon. Gentleman could believe that the House would grant his motion. He could not believe that the hon. Gentleman was earnest in his proposition. There were four millions in the country—say two or three millions—who required relief, and were suffering the greatest distress. What was a million of money to those people? Every head of a family was supposed to represent five persons. What was a million of money distributed amongst those people? The hon. Gentleman was violent against the New Poor-law. What had the Poor-law to do with the distress of the country? Did not the hon. Gentleman know that before the present Poor-law was passed the agricultural labourers were much worse off than now? Did he not know that those agriculturists were then treated worse than the people were in the collieries, as described the other night? How then could he attribute the distress to the operation of the New Poor-law? No, there was a more permanent cause than that. This was the opinion of more experienced men than the hon. Member. The hon. Gentleman seemed to him to come into that House as the champion of restrictive laws, and in order to be consistent with that character, he asked for a grant of money, to save the people from the consequences of those laws, or rather to save the landed proprietors. The poor-rates were increasing in the agricultural districts, and the reason was, the people were going back, from the manufacturing and commercial districts, by shoals, to their parishes. The hon. Member would find that the agriculturists were suffering; and he would tell the hon. Member another thing, that the consumption of agricultural produce was diminishing. Well might the hon. Member come forward as the champion of the Corn-law, and ask for a million of money. Anything that was not a permanent relief, was a mockery. This proposal was almost an insult to the people, and was making them paupers.

Mr. *Wallace* said, the extent of distress that prevailed in the country was by no means generally known. Although he differed from the right hon. Baronet in the principle he had laid down, and thought that the time might come when it would be necessary to alleviate the distress with public money, still he agreed with him, that it ought to be the last resource. As a matter of principle, therefore, had he felt bound to vote in maintenance of it, he should have divided with the hon. Member for Knaresborough, much as he regretted the manner in which his motion was brought forward; but agreeing entirely in the sentiments so ably expressed by his hon. Friend the Member for Wolverhampton, and feeling that this amount would be but a drop in a bucket, he thought it would be wise before taking any step to make every possible inquiry on the subject. If the hon. Member proceeded to a division, he should certainly not divide with him.

Mr. *Escott* thought the motion of the hon. Member for Knaresborough a most extraordinary one. He could not, consistently with what he felt due in the discharge of his duty, refrain from saying that he not only thought it an extraordinary motion, but also a most mischievous motion. He felt, too, that not only was the motion mischievous, but he would tell his hon. Friend and the House plainly, that he thought the speech with which it was introduced a mischievous speech. There was one charge that his hon. Friend had made in that speech which, as long as he had the honour of a seat in that House, he would never hear made by any hon. Gentleman without rising in his place to protest against it. His hon. Friend said in his speech, after stating the distresses of the people of this country, that that House stood between the people and their relief. He positively denied that charge. That charge was not fair to that House. It was not fair to the Government. In the same speech in which his hon. Friend made that charge, he admitted the Government was doing all in its power to relieve the distress which every feeling man so deeply deplored. Upon the principle of the motion, he would say one word. His hon. Friend proposed a grant of public money for relieving the distress that prevailed. Now, he believed that if that motion were carried, there was no one mode which his hon. Friend could devise, that would be so likely to draw off the attention of the Legislature and of the people from those measures which might be necessary at some future time, for relieving the distresses of the people. He must also protest against the doctrine, that because there happened to be a great pressure of distress at a given time, they must have recourse to a grant of public money, which must come from the pockets of the people who were so distressed, and which, being so taken away, must throw an additional pressure on their industry. He hoped, however, that his hon. Friend, seeing the feeling so plainly manifested on both sides of the House, would not trouble them by proceeding to a division, but would withdraw his motion.

Mr. *Ainsworth* said, that as the hon. Member for Knaresborough had mentioned the name of his Friend, Mr. Ashworth, he wished to state, that he concurred with his hon. Colleague, in the character he had given of that Gentleman, and in hoping, that the hon. Member for Knaresborough would, at some future time, pay him a visit, and allow him to take him over Mr. Ashworth's manufactory, feeling sure, that the hon. Gentleman would be quite satisfied with the manner in which Mr. Ashworth conducted his business. At the same time, if the hon. Gentleman proceeded to a division, he felt bound to give him his support.

Mr. *W. Williams* considered the cause of the present distress in a great measure, to be the high price of provisions in this country, as compared with the prices of provisions in other countries. Now, the speech of the hon. Member for Knaresborough, and the votes he had given in the House, were strangely inconsistent; for upon every occasion, that a proposition was made to relieve the distresses of the country by reducing the price of provisions, the hon. Gentleman had been universally opposed to such a measure. Had he not opposed the removal of the tax upon bread in every shape that it was brought before the House? And had he not stood forward above all other individuals, in bringing charges against those persons who had been so active in their endeavours to do away with the tax on corn? Had he not brought those charges from time to time in that House? Had he not made attacks on individuals, and the whole of that body called the Anti-Corn-law League, whose object was to remove the tax on the bread of the people? Had he supported any measure in that House to reduce the price of food of the working classes? [Mr. *Ferrand:* Yes; the tariff on foreign cattle.] [*Laughter.*] He thought the hon. Gentleman was not in the division for admitting foreign oxen into this country at 1*s.* per head. Did he vote for the lowest duty upon foreign cattle? He believed, that the hon. Gentleman did not.. Was the hon. Gentleman aware, that two-thirds of the taxes, from which he would take this 100,000,000*l.*, were actually paid by the poorer classes of this country upon the necessaries of life? If the hon. Gentleman would assist in removing those taxes, no motion of this kind would be requisite. He believed, however, that the working classes of this country had too much good sense to be led away by any motion so delusive. They knew too well, that it could not relieve them. It might afford some relief to send large sums of money to large towns, but the question would be, to which towns the money should be sent, and how it should be applied, and there would be a scramble for it without its producing any general or extensive benefit.

Mr. *Cobden* was deeply impressed with the condition in which this country was now placed. It was such as ought to engage the serious consideration of all who had anything at stake. He had long been anxious, that the House should take the subject into its serious consideration; that the facts should be brought out, without its being made a question of Whig or Tory; and he should before then have brought forward certain facts connected with this subject, had he not been constantly met with the charge of impeding the tariff, which it was said, was calculated to restore in some degree the prosperity of the country. He believed, however, that there was no hope in the country, that that would be the effect of the tariff. [*Cries of* "Oh, oh!"] Hon. Gentleman might say "Oh, oh!" but he would tell them, that the number of unemployed was greater, and the amount of Poor-rates higher now than ever. Capital was wasting away, and there was no means of employing it in trade. [*Cries of* "Oh, oh," and *laughter.*] When the hon. Gentlemen said "Oh, oh!" and shut their ears, let them ask themselves what would be the consequence if that state of things went on? In Stockport, twenty-nine large concerns were closed; they did not belong to members of the Anti-Corn-law League, but chiefly to persons who agreed in political opinions with hon. Gentlemen opposite. In that town, there was an instance of one concern, which seven years ago was estimated to be worth 100,000*l.* The senior member of it retired after thirty years hard labour, thinking himself worth 100,000*l.*, but the son of that individual was now receiving parish relief, and showing the mill at 1*s.* a-week. What, too, were the Poor-rates there? Why, a 2*s.* rate only yielded now one-sixth of what it did two years ago; and a 1*s.* rate only two-thirds of what a 6*d.* rate did at that time. Of a rated rental of 80,000*l.*, only 36,000*l.* was received. Several years since, that state of things had been foretold in the Chamber of Commerce at Manchester. But were they solitary in their distress—were they not a link of one great chain? Were not the various commercial interests of the country in the same depressed condition? He implored the House then not to separate, until they had done something directly and avowedly for giving contentment to the people. He entreated them not to separate now, and defer until next spring the consideration of this measure. The hon. Member for Sheffield said they must next spring reconsider the Corn-laws; but he would say they could not wait until the spring, and that they must throw open their ports for grain if they wanted to have peace in the country. He had lately received a letter from Sheffield which pointed to that place as one of the most perilous in the kingdom. He entreated the right hon. Baronet, then, not to think of dismissing the present Parliament without taking measures to relieve the distresses of the people. The right hon. Baronet would certainly be compelled at the opening of next Session to reconsider the corn question. Nor would he want a most just vindication for his consistency in such a course, for the right hon. Gentleman had expressly declared that he had brought forward his Corn-law measure from a conviction that trade was reviving. Now the very reverse had proved to be the case since the right hon. Baronet spoke thus; and the measures which had been brought forward by the Government had not at all been suggested even as remedies for the national distress. On the contrary, the right hon. Baronet had distinctly disclaimed any persuasion that his measures would remove that distress. The consequences to be apprehended from a continuance of the existing state of things were most serious. Not that he was desirous of employing language to provoke alarm or imply menace. He would not say that there was any prospect of popular outbreaks, which might peril the parks and the palaces of the Conservative party. He knew well that in the desperation of distress—in the frenzy of famine—the friends not less than the foes of the people would suffer; and his apprehension was not so much that the people might break out into violence as that the nation might break down altogether. He commended, then, this condition of things to the earnest consideration of the Legislature, that ere too late some measures might indeed be taken for the averting of dangers so imminent and so appalling.

Mr. *T. Duncombe* said, had he entertained any doubt at all as to the propriety of supporting the motion, that doubt must have been entirely removed by the speech of the hon. Member who had just sat down. That hon. Member had vigorously pictured the national distress, and had contended for the necessity of an inquiry. Now, the present proposal was for an inquiry. The terms of the motion involved necessarily, first, a committee for the purpose of inquiry; and true it might be, that the object professed was the granting of pecuniary relief to the people. Now, his only objection to the motion was that it did not go far enough, seeing that it limited the amount of that relief to a million, whereas he should be prepared to support a vote of not less than five millions, convinced that not less than five millions would really relieve the distress of the people. It was said that the motion was without precedent; so far from it, there had been plenty of precedents. There had been in 1832 a vote of a million to the Irish clergy; and there were constantly votes to refugees — Polish, French, or Corsican, &c. His firm belief was, that the House really knew nothing of the popular distress. And whose fault was that? Why, the fault of the Gentlemen opposite. When it had been stated that poor wretches had been reduced to positive carrion, the statement had been treated with perfect indifference. It had been disbelieved. The majority opposite could have, indeed, no sympathy with the people. They had been returned by gross bribery. The right hon. Baronet, the leader of the party had declared it. Could any one deny it? The people knew it to be true. The Government had been forced into power by such means. Why, would they dare dissolve to-morrow? Would the right hon. Baronet the Member for Kent (Sir E. Knatchbull) like it? Depend upon it there would be more heard of the tariff then than now. ["Hear!"] The right hon. Baronet cheered. He did not like to hear of the tariff. Truly, the House had heard enough about it, and so had the country, and the people knew it to be one of the grossest delusions ever practised on a nation. But now to return to the question at issue. The people would never obtain redress till some 400,000 or 500,000 men from the manufacturing districts came to the metropolis to demand it. ["Oh, oh!"] Yes; and he knew that preparations were making with that intention. And not till those thousands came would their condition be attended to or their wrongs redressed. Then, indeed, they would obtain relief. The Corn-laws might be repealed. While they continued, distress would remain, which the Legislature was bound to do their utmost to relieve. But a most instructing spectacle had the House that night presented. First, all relief whatever had been denied to the Dissenters; and now all hope of relief was about to be withdrawn from millions of loyal and industrious, but distressed and suffering people.

Mr. *Ferrand* would not notice the speech which had just been delivered. As to the remarks of the hon. Member for Stockport, about the distress caused to the manufacturing interest by the Corn-laws, it certainly was strange that any one should make such statements who recollected, that in despite of all the agitation of the question in the most populous manufacturing districts, Anti-Corn-law candidates had been defeated. Now it had been said that he had excited the people. To that he replied, that when he took his seat in that House he found that in the manufacturing districts there had been for some time a system of agitation for the purpose of exciting the people against the Government of the country. He found that gentlemen belonging to the party opposite had hired men, utterly devoid of honesty and reckless of truth, to use among the people the most outrageous language. He found, nevertheless, that notwithstanding all the expenditure of money and mischievous energy, they had entirely failed to win the people to their side, and to accomplish their great object of replacing Gentlemen opposite in office. How was it that the League as a body had been quite annihilated? True, there were some mischievous incendiaries going about the country, endeavouring to raise a popular excitement, endeavouring (under the sanction of gentlemen belonging to the party opposite) to excite the people to rebellion; but they would fail, as hitherto; or, if they succeeded unhappily in exciting the people into acts of violence, they would exhibit the cowardice common to those who for selfish purposes led others into unlawful proceedings. He had done his duty in that House—supported by a consciousness of rectitude—he trusted he had been of some service to the country in telling the truth manfully, and in thus putting down the hired agitators of selfish men. As to what had been said of the looseness of his assertions, he regarded them not, for he was sustained by his own conscience and by the belief that the people at large gave him credit for his intentions and his integrity. With respect to the particular instance of the dog, adverted to to-night, his denial of the story had been supported by communications direct from the locality alluded to, declaratory of perfect ignorance of any such circumstance. He had now to leave in the hands of the House a motion which was justified by the precedent of the great grant of 20,000,000*l.* for purchasing the freedom of the West-Indian slaves, whose condition, even in slavery, had been far better than that of millions in Great Britain, and who now were positively acquiring something like the position of independent proprietors. He should, at all events, continue to pursue the straightforward course which he had marked out for himself, and in which he believed he had not less the approbation of the country than of his own conscience; for he was persuaded that the people put more confidence in his assertions than in those of the whole party opposite.

The House divided:—Ayes 6; Noes 106; Majority 100.

List of the AYES.

Ainsworth, P.	Johnson, Gen.
Blake, M. J.	
Crawford, W. S.	TELLERS.
Heathcoat, J.	Duncombe, T.
Hindley, C.	Ferrand, W. B.

CUSTOMS' ACTS—THE TARIFF.] The report on the Customs' Acts was brought up, the resolutions were read and agreed to by the House, and a bill ordered to be brought in.

DEAN FOREST ECCLESIASTICAL DISTRICTS.] The Earl of *Lincoln* moved that the House do resolve itself into a committee on the Dean Forest Ecclesiastical Districts Bill, to make provision for the maintenance of certain chapels in the Forest of Dean.

Dr. *Bowring* thought such a bill as the present ought not to have been introduced. The Church had quite sufficient property to meet any demands for spiritual instruction in any part of England. The bill, he must say, had taken him by surprise, and he decidedly objected to such an application of public money to ecclesiastical purposes.

Mr. *Protheroe* said, that in his part of the country the bill had not taken them by surprise. He had often knocked at the doors of the Commissioners of Woods and Forests, calling on them to make provisions for the spiritual instruction of the inhabitants of the Forest of Dean. Nothing could be more unjust than to say that, in a case like the present the Church were endeavouring to obtain any exclusive advantages. There was no one having the least acquaintance with the condition of the people who inhabited the Forest who could for a moment doubt that they were in a state of spiritual destitution; but if any one were in a state of uncertainty on the point, he should refer him to the report of Mr. Elijah Waring, whom he had not the pleasure of knowing, though the perusal of his report would lead any one to desire his acquaintance. As to the present bill, he should give it his support, being decidedly of opinion that even a larger grant of money ought to be made. It was well worthy of observation that when Monmouthshire was in a state of extreme agitation and disturbance, the most perfect tranquillity prevailed in the district with which he was connected, and those who were best acquainted with the feelings of the people imputed that tranquillity to the influence of religious instruction derived from the clergy. On these grounds he entertained a strong wish to see additional churches in that part of the country.

Mr. *T. Duncombe* hoped that his hon. Friend the Member for Montrose would divide the House on the question, the more especially as no explanation on the subject had been given by her Majesty's Government. They had just rejected a motion, by a majority of 100, for giving relief to the distressed manufacturers—not a shilling would the House give to them; but yet they now proposed to grant 600*l.*, 700*l.*, or 800*l.* to endow a certain number of churches. They had often heard in that House that ecclesiastical funds ought to be applied exclusively to ecclesiastical purposes;—was there any one who would say, that the funds at the disposal of the Church were insufficient for the wants of the Church? There was Queen Anne's Bounty, there were the sums at the disposal of the Ecclesiastical Commissioners, and recourse ought to be had to those before any claims were made upon the property of the Crown. It was preposterous to propose that new churches should be endowed, when the House refused to grant a single shilling for the relief of the starving manufacturers in the north of England. On these grounds he should decidedly oppose the motion that the Speaker do leave the Chair.

The Earl of *Lincoln* said, he should have risen sooner if he could have anticipated that the bill was to be opposed; and he was under an impression that he had last night given a sufficient explanation on the subject. An hon. Member on the other side appeared to lay great stress upon this point, that by the bill it was proposed to apply a certain portion of the public money to the endowment of churches, and last night the hon. Member for Montrose urged the same argument. Now, he conceived there was a broad distinction between the provisions of this bill and the construction put upon it by the hon. Members who made use of that argument. There was an obvious difference between giving a grant of public money and doing that which the bill proposed to effect. If the Forest of Dean belonged to a private individual, he certainly would not be justified in allowing it to remain in its present state of spiritual destitution—many individuals would give much more than was proposed to be given under the present bill. At the beginning of every reign the Crown property was transferred to the care of public commissioners—of course for a consideration—but that circumstance did not alter the degree of responsibility which attached to the possession of property. It had often been observed, that property had its duties as well as its rights, and the property in question was not by its peculiar circumstances divested of its duties any more than other property. He would repeat that which he had stated on a former occasion, namely, that there were contained in the forest 25,000 acres, that the population amounted to 11,000 souls, and that for the spiritual instruction of that population there were only three clergymen. Besides those the deputy-surveyor in the employment of the Crown was the only person in the whole district who could be regarded as belonging to the rank of gentlemen. The three clergymen had incomes respectively of 119*l.*, 92*l.*, and 75*l.* In such a state of things, and in such a condition of society in that part of the country, he felt that he ought not to shrink from the responsibility of introducing such a measure; at the same time he believed there was much more of merit than of responsibility in bringing it forward. The House had probably not forgotten that in 1835, during the Government of hon. Members opposite, a commission had been issued by the Crown to inquire not so much into the spiritual destitution as into the general circumstances of the forest, amongst other objects with the view of parochializing the district. They made their report in 1839, and they recommended that the incomes of the clergy should be increased. It appeared from that report that it was not imperative upon the clergy there to administer the rites of burial or of baptism, and that no marriages were solemnized within the forest. They recommended that a church and parsonage-house should be built, and that a benefice should be endowed, by the Crown giving to the clergyman an annual stipend of 150*l.* a-year, and raising the stipends of the existing clergymen in the same manner and to the same amount. The commissioners were Mr. Serjeant Ludlow, Mr. Bathurst, and other eminent persons; and although Serjeant Ludlow differed from the other commissioners on several points, he was agreed with them on this one, as appeared from a separate report which he signed. The present proposition was by no means a novel one, the case of the Delamere Forest being a precedent; and there were other cases in point. The hon. Gentleman had said, that if the church required any additional endowments, they should be taken from Queen Anne's bounty; but the Governors of that bounty never consented to increase livings without an equivalent from the proprietors of the estates concerned. The hon. Member for Montrose yesterday had said that the Ecclesiastical Commissioners ought to be called upon to supply the means sought by this bill, and that unless he had a return of their revenue he should oppose any grant; but on referring to the rules of the commissioners that day, he found that their rules precluded them from contributing to such an object. He trusted the hon. Gentleman would see that there was no necessity for persisting in his opposition to this bill.

Mr. *Labouchere* observed, that as the hon. Member for Finsbury seemed to intimate his intention of taking the sense of the House upon this question, he would state in a few words the grounds on which he should give his vote. He objected to the principle of what was called church extension, by coming to that House to demand money for the purpose of increasing the establishment, and he thought it was much more advantageous to the Church in the present state of the country to leave it as it was—an establishment partly supported by the State and partly by voluntary contributions. But that was a very wide question, upon which he would not then enter. The present question was of a different nature, and had been placed upon its true grounds by the noble Lord, the bill being merely intended to enable the Crown to do that which it was the duty of every proprietor of land to do, namely, to see that the spiritual wants of the population living upon his property were adequately supplied. He was convinced that only when the proprietors of land throughout the country understood their duty in that way would the population be properly provided with religious instruction. He thought it better to trust to their sense of duty than to come to that House for a grant from the public funds for church extension. He should certainly support the noble Lord's motion.

Mr. *Hawes* was compelled to take an entirely different view from his right hon. Friend, though he did not disagree from him upon the general proposition he had laid down. But this bill did contain the principle of church extension; for it was clearly and manifestly intended to apply a portion of the public funds for that purpose; therefore he should oppose it. But there was another reason why he should oppose it: since the passing of the Tithe Commutation Act and other measures affecting the Church the property of the Establishment had increased in value, and in some instances beyond the returns and estimates submitted to Parliament while those measures were under discussion to an extent of 20 or 30 per cent. As that increased value had been derived by the Establishment, he thought they ought to look to that for the endowments proposed by this bill. As a friend to the Church he would oppose this bill, and also because he thought it unjust and unnecessary, seeing that there were other funds which ought to be looked to for the aid required.

The *Chancellor of the Exchequer* thought the argument of the hon. Gentleman both unfair and inconsistent. If it were just in reference to the Crown, so it would be if applied to private persons. And what a bad example would the hon. Gentleman set! It was just the argument which a niggardly person would take up when appealed to for alms, that because other parties were rich and did not direct their riches to a particular object, therefore he would do nothing for it. He trusted the House would feel that the public was a proprietor of a large estate, and that it could not neglect its duty to provide for both the temporal and spiritual destitution of the population. When it was understood that the whole amount asked for was but little more than 300*l*., and that the district comprised 25,000 acres with 11,000 population, he thought the opposition to the measure must be very limited.

Mr. *W. Williams* thought the noble Lord would have given some reason why there was to be this augmentation in the salaries of these three clergymen. Were they to perform increased duty? Had not their salaries been sufficient hitherto, and if so, why should they not be sufficient now? The noble Lord had said, that there were 11,000 persons to whom these three clergymen were to minister. He should like to ask the noble Lord how many of those 11,000 were Dissenters? He ventured to say that a large majority of them were Dissenters. But suppose they were all members of the Church of England, were not three clergymen enough to minister to the 11,000? ["No, no!"] Well, he knew that there were many clergymen who did take the care of as many souls. He should like the noble Lord to point out any individuals possessing 25,000 acres who had ever provided 300*l.* to pay ministers for the population. [*Ironical cheers.*] Well, he did not know any instance of the kind in modern times. He considered that the Government might just as well have proposed to take the money out of the Consolidated Fund at once, for that was neither more nor less than the effect of the bill.

Mr. *Hardy* said, that hon. Gentlemen opposite seemed to treat the Church of England as an abstract institution with which the nation had little or nothing to do, whereas it was an ecclesiastical Establishment founded and maintained by the State for the religious instruction of the people, and he hoped they received, and would continue to receive, instruction from it and through it. [Mr. *T. Duncombe*: "Hear."] He wished the hon. Gentleman who cheered him would tell him what denomination of Dissenters afforded more or better religious instruction? The hon. Member for Coventry seemed to think three clergymen quite enough for 11,000 persons; why, it had always been held that 2,000 souls was the greatest number that should be committed to the care of one clergyman; so that here there ought to be five at least, instead of three. He did not know what number of Dissenters might be found amongst these 11,000 persons; but those who made the laws were bound not to depend upon the uncertain supply of religious teaching which Dissenters might supply; they must see to make the national establishment efficient, so that she might meet the wants of the people. If the population were to receive spiritual instruction the Legislature must decide what sort it should be, and they must give that decision according to the Established Church of the land. Was it not a fixed law that the sovereign of these realms must be of a certain religion,—a member of the national Church, and those who objected to his argument might as well bring in a bill to say that the sovereign should be of what religion he pleased. The Legislature was bound to provide religious instruction for the people by means of the Established Church, and, therefore, he should support the bill.

Mr. *Hume* said, he could not conceive upon what principle her Majesty's Ministers had brought forward this bill, because it was one which called upon the people to grant money to a church already having 5,000,000*l.* of money at its command, which money was inadequately and unequally applied. He would ask, what was the House about to do? It was pressed to vote a sum of money for Church Extension, there being now a sufficient sum in the hands of the Ecclesiastical commissioners for that purpose. He would appeal to the right hon. Baronet—he would ask the Prime Minister of this country, under what pretence he called upon them to vote 10,800*l.* for the Church Establishment out of the public funds? There was to be a perpetual annuity of 315*l.* in the shape of salary to the clergymen, and 330*l.* as a Church-rate. He should unite with his hon. Friend, the Member for Finsbury in resisting the motion.

The House divided, on the question that the Order of the Day for going into committee be read—Ayes 101; Noes 25: Majority 76.

List of the AYES.

A'Court, Capt.
Ainsworth P.
Alford, Visct.
Allix, J. P.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Bentinck, Lord G.
Beresford, Major
Berkeley, hon. Capt.
Boldero, H. G.
Botfield, B.
Brodie, W. B.
Buller, Sir J. Y.
Childers, J. W.
Clerk, Sir G.
Cockburn, rt.hn.Sir G.
Colborne, hn. W.N.R.
Collett, W. R.
Colvile, C. R.
Corry, right hon. H.
Darby, G.
Denison, J. E.
Desart, Earl of
Dickinson, F. H.
Douglas, Sir C. E.
Douglas, J. D. S.
Dundas, D.
Eliot, Lord
Escott, B.
Ferrand, W. B.
Fitzroy, Capt.
Fitzroy, hon. H.
Ffolliott, J.
Fuller, A. E.
Gaskell, J. Milnes
Gordon, hon. Capt.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Grant, Sir A. C.
Greene, T.
Grogan, E.
Hamilton, W. J.
Hampden, R.
Hardinge, rt.hn.Sir H.
Hardy, J.
Henley, J. W.
Hepburn, Sir T. B.
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Humphery, Ald.
Inglis, Sir R. H.
Jermyn, Earl
Jolliffe, Sir W. G. H.
Jones, Capt.
Kemble, H.
Knatchbull, rt.hn.Sir E.
Labouchere, rt. hn. H.
Lawson, A.
Lincoln, Earl of
Lindsay, H. H.
Litton, E.
Lockhart, W.
Lopes, Sir R.
Lygon, hon. Gen.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Marsham, Visct.
Martin, C. W.
Masterman, J.
Maule, rt. hon. F.
Napier, Sir C.
Nicholl, rt. hon. J.
Norreys, Lord
Palmer, R.
Palmer, G.
Patten, J. W.

Peel, rt. hn. Sir R.
Peel, J.
Pigot, Sir R.
Praed, W. T.
Pringle, A.
Protheroe, E.
Pusey, P.
Rashleigh, W.
Round, C. G.
Rous, hon. Capt.
Sanderson, R.
Scarlett, hon. R. C.
Scott, hon. F.
Stanley, Lord
Stanton, W. H.
Sutton, hon. H. M.
Talbot, C. R. M.
Taylor, J. A.
Towneley, J.
Trevor, hon. G. R.
Waddington, H. S.
Wortley, hon J. S.
Young, J.

TELLERS.

Baring, H.
Fremantle, Sir T.

List of the NOES.

Aldam, W.
Blake, M. J.
Bowring, Dr.
Brotherton, J.
Busfeild, W.
Collins, W.
Dashwood, G. H.
Duncombe, T.
Forster, M.
Granger, T. C.
Hindley, C.
James, W.
Johnson, Gen.
Marsland, H.
Mitcalfe, H.
Pechell, Capt.
Plumridge, Capt.
Rundle, J.
Scholefield, J.
Strickland, Sir G.
Thornely, T.
Wallace, R.
Wawn, J. T.
Williams, W.
Wood, B.

TELLERS.

Hawes, B.
Hume, J.

On the question that the Speaker do now leave the Chair,

Mr. *Hume* said, that no Member of the Government had condescended to answer the question which had been put—viz., upon what principle was the House called upon to vote away the sum of above 10,000*l.*, while no provision was to be made for the religious instruction of the Dissenters in the district?

Sir *R. Peel* considered it to be rather inconvenient that, after a full discussion, such a question should be put. However, although it had been answered before, he had no objection to satisfy the hon. Gentleman. Admitting fully that the property belonged to the public, he still thought that the representatives of the people being, as such, the possessors of 25,000 acres of land, upon which was settled a population of 11,000, for the instruction of whom only three clergymen were appointed, considering that they were not congregated in a town, but were spread over a large district, he doubted whether the money proposed to be expended would not, on the part of the State, be a profitable outlay, even in a temporal view of the matter.

Mr. *Wallace* did not think the question had been answered at all. From the statement of the right hon. Baronet, it appeared that no provision was to be made for the religious instruction of the Dissenters, although the money was to be taken from the public funds.

The House again divided—Ayes 101; Noes 13: Majority 88.

List of the NOES.

Blake, M. J.
Bowring, Dr.
Brotherton, J.
Collins, W.
Johnson, Gen.
Mitcalfe, H.
O'Connell, M. J.
Pechell, Capt.
Plumridge, Capt.
Scholefield, J.
Wallace, R.
Wawn, J. T.
Williams, W.

TELLERS.

Duncombe, T.
Hume, J.

House in committee.

The Earl of *Lincoln* moved,

> "That provision be made out of her Majesty's land revenues for the endowment, repair, and maintenance of certain chapels in her Majesty's Forest of Dean."

Mr. *Hume* said, he thought that there were funds arising from the abolition of sinecures in the Church, which might be applied to the increase of the salaries of these clergymen, without having recourse to the public funds. This appeared to him one of the most unprincipled proceedings he had ever seen, though it was not contrary to the principles of hon. Gentlemen opposite. He should take every opportunity of offering opposition to the measure.

Captain *Berkeley* said, that knowing the county of Glocester, and the want of spiritual aid that prevailed there, he was quite ready to support the measure. He was surprised that the hon. Member for Finsbury should be ready to vote 1,000,000*l.* sterling in a wild scheme for the relief of the people, and yet would not give 300*l.* for the spiritual instruction of the people.

Mr. *Brotherton* said, that the funds required might be got from the surplus which they knew the Ecclesiastical commissioners had in their hands.

Resolution agreed to.

House resumed, and adjourned at a quarter past 12 o'clock.

APPENDIX.

APPENDIX.

SPEECHES OF THE RIGHT HONOURABLE W. E. GLADSTONE, ON CUSTOMS' ACTS—THE TARIFF—CATTLE, May 23, 1842.

(*Speech, No.* 1, *p.* 610.)

Mr. *Gladstone* thought, the resolution rather premature, as it was impossible to see yet what course would be taken on the subject. The hon. Member complained, that it was exceedingly hard that the provision curers of Ireland should be subjected to a free and unfettered competition with the provision curers abroad. In the first place, what was the situation of the British shipowner engaged in foreign trade? He was subjected to a thoroughly unrestricted competition with the foreigner; and it was mainly upon that ground that the protection was now to be withdrawn. But further; the present law was in a great degree inoperative and was becoming more and more so. The Legislature had endeavoured to extend an efficient protection to the provision curers of Ireland, and it had failed in giving that protection. It might be as well to state, what was the law as it now existed to protect the Irish provision curers. Of course, under the warehousing acts all articles in bond might be taken out of the bonding warehouses for exportation; and it was obvious, without some security, that the masters and crews on board merchant ships might take out goods for consumption as well as exportation. Accordingly, the Warehousing Act provided, that no cured provisions should be delivered out of the warehouses to merchant ships outward bound, for exportation, without the exaction of a bond to land them at the port of the ship's destination, and without proof of having on board in the victualling stores of the ship a sufficient quantity of British or Irish provisions. The law looked very well, and the law had done its utmost for the protection of the provision curers of Ireland. But how had it operated? Why, there was no security which would guarantee the landing of those provisions. It was impossible to suppose, that we could give to our laws a force and stringency which would extend their operations into foreign ports in a matter of this kind, and it was hard that we should say to the shipowner, "You must run your ships in direct competition with foreign ships, but we call on you to purchase your provisions for your crews at a price very much higher than your competitors have to pay for their provisions." This had not formerly been so. The Irish provision dealer formerly had a sufficient protection in the moderation of his prices. In point of fact, it was the high range of prices now ruling which constituted the difficulty of the case. Ten or fifteen years ago, he ventured to say, it would have been of no importance whether the clause alluded to found its way into the act or not. He would first state the prices as they now existed. There was a difference of about 2*l.* 10*s.* per tierce, between the price of the best Hamburgh meat as compared with the best Irish meat. At Hamburgh, it was stated, that the lowest price of salt meat was 5*l.* 5*s.* the highest 6*l.* Now, in former times, in 1827 and 1828, the price of Irish provisions was 6*l.* In 1832, the price was from 4*l.* 10*s.* to 5*l.* In 1835 and 1836, the price of Irish provisions was 5*l.* 5*s.* In 1837 and 1838, the price of the best Irish provisions was 6*l.*; and therefore, in point of fact, so far as her natural capabilities were concerned, Ireland showed that she was fully able to compete with the foreign curer of provisions. But the shipowner, it appeared, had been called on to pay a very much higher price. In 1839 and 1840, the price of Irish provisions rose to 7*l.*, and in 1840 and 1841, to 7*l.* 15*s.*; so that the shipowner was called on to pay 7*l.* 15*s.*; where, twelve or fifteen years ago, he was paying 4*l.* 10*s.* to 5*l.* But not only was the shipowner compelled to pay that rate; but he was informed, that the character of Irish provisions of which the hon. Gentleman had spoken with so much satisfaction, was in danger of being deteriorated. The quality of Irish provisions had suffered much from the demand having drawn off so many Irish cattle to this country, and many of the best parts of animals, which were formerly used for salting. So that the shipowner was in this position—he was called on to pay for an inferior article a very much enhanced price. A consequence of this was, that there was a great deal of fraud and evasion, which that House must always be anxious to obviate, and which, he ventured to say, as long as the law continued in its present state, it was impossible to prevent. He did not think the hon. Gentleman himself could suggest any means whatever under the warehousing system to prevent ships on the wide sea having taken provisions out of the warehouse for exportation, from using them for the support of the crew. There was certainly one way in which it might be prevented—by putting an end to the warehousing system with respect to this article, and having no provisions put into the warehouses without an immediate exaction of the duty; but he thought, that would be exceedingly impolitic, for the warehousing system was most useful. Moreover, the principle now proposed to be acted on was nothing new. In the greater part of stores which ships required, we did not give the British producer a monopoly of providing for our ships. There were orders at the Custom-house, under the authority of the law, by which nearly every article might be delivered to ships without payment of any duty whatever. On these grounds—the enhancement of the price of Irish provisions and the deterioration of the quality, the greater cheapness of these provisions abroad, and the great hardship on British shipowners in the present state of the law, and the incapability of Parliament to prevent fraud and evasion of the law, without abandoning the warehousing system—when the Customs' Bill came before the House, he trusted the proposed alterations relating to salt provisions would be made. He could not, therefore, accede to the instruction moved by the hon. Gentleman. There was also, to a certain extent, a consumption of these articles which would still be protected by the duty proposed, both in the trade of the country, and the provisions purchased by coasting vessels. He might in conclusion inform the House what was the real state of the case with regard to those bonds which had already been spoken of, because it was partly on the utter inefficiency of the system now in practice that the present proposition of the Government was grounded. It appeared, that since the passing of the Warehousing Act, the whole number of bonds which had been entered into was 3,126, and the number of certificates received, that was to say, the number of cases in which provisions had been landed at the ports of destination, was 831 in all; thus about one-fourth of the bonds which had been passed, appeared to have been effectual, while three-fourths of the whole number had been utterly ineffectual.

(Speech, No. 2, p. 634.)

Mr. *Gladstone* said, the hon. Gentleman who had just sat down, had directly ascribed to the measure of the Government, that whilst agriculture would suffer all the depreciations it occasioned, trade and commerce would reap the exclusive benefit of all its advantages. Into this argument he thought he need not enter; indeed, he might even venture to leave it to the Friends of the hon. Member—to those who sat opposite and around him—he might leave it to them to settle with him that part of the account. But whilst he would refrain from arguing upon propositions which appeared to him so extravagant, the fact of their being advanced in support of this motion was not to prevent him from entering seriously into the principle of the question before the House. It was, he admitted, a question of great importance, and being of such importance he must say that he highly approved of the moderation of tone in which it had been brought forward by the hon. Mover, the Member for East Somerset, and by the hon. Seconder the representative of Berkshire; and further, he would say, that he thought nothing could be more fair, than the statement made by the first of those hon. Gentlemen of the objects, important as they were, which he and others who agreed with him had in view. The hon. Gentleman said, that what they desired was the maintenance of such a moderate protective duty as would enable the British agriculturists to compete with the foreigner. He was sure that all who heard him, even those who were the most fully prepared to act with the hon. Member, were persuaded that the Government had also that object in view, and that they would disbelieve the imputation that these changes were arranged in such a manner as not so to place the interests—the vital and important interests—of the British farmer. But when he said this, he would also beg to repeat an opinion which he had before expressed in that House, that even those Gentlemen who were the ornaments of what he might call the science of agriculture did not always cherish an adequate sense of the benefits derived from the skill and enterprize which they themselves applied to it, but were rather inclined to rely over much on the protection of legislative enactments. This was his opinion of their views; with regard to his own, let him preface what he had to say by remarking, that he would be the last man in that House to vote for anything that he really believed to be injurious to the interests of the British farmer, for although he did not like, and was always loth to draw any distinction between classes, yet he must say, that if any class was entitled upon social and public grounds to a greater degree of consideration than another, it was that class by whose labour and industry we were supplied with the chiefest necessaries of our subsistence. Having given this as his unequivocal conviction, he would proceed to declare, with equal confidence, that in his opinion the right hon. Baronet at the head of the Government would have failed in his duty to the country had he proposed less by this measure in the way of facility to the admission of foreign cattle and provisions than he actually had proposed; that he wished he could anticipate from these changes in the law a greater degree of practical effect in cheapening subsistence than he could, upon seriously and honestly looking at the whole matter, bring himself to expect; and lastly, that to him the great subject of regret was, that this measure had not been introduced long ago, instead of being now for the first time submitted to the attention of the House. In bringing forward this motion, the hon. Member for East Somerset had said something as to the alarm which existed among agriculturists upon this subject, and the hon. Gentleman who had just sat down, had also referred to the depression which agricultural interests were said to have undergone since the publication of the new scale of duties. Now, with respect to any depreciation which might have occurred in the price of the article of meat, it was a fact worthy of notice, that depression had taken place quite as much on articles concerning which the alarm did not prevail, as on articles which it was feared would be greatly lowered in price by the contemplated alterations. His hon. Friend the Member for Berkshire had said, in the course of the debate, that he did not at all fear any fall in mutton in consequence of the change of the law. Now, the fall in the price of mutton at the present time was as great as that in the price of beef, and this was a fact which he thought he was entitled to take as a proof that it was not the publication of the tariff that had really or mainly caused the reduction in prices. But let the House remember, that this reduction was by no means so general as they had been taught to believe. What were the accounts they received from districts and places in which fairs had been recently holden? He held in his hand an account of three different fairs held in different parts of Ireland which had come casually under his notice, and he must say, that referring to this document, and then comparing the speeches of the two Members for West Sussex, there was, as it seemed to him, very conclusive evidence that the view taken by the first of these hon. Members was the more correct. He would first read them the account given of the sales at the Carlow May fair.—

> "The above fair, which is one generally of great importance to graziers at this season, was held on Wednesday, and was very numerously attended. Contrary to expectation, it was a

good one, as stock realized remunerating prices, although many were naturally apprehensive that the contemplated changes would operate injuriously to the holders of stock at the present moment. There were some refreshing showers previous to the fair day, which were useful, and tended to increase the value and the demand for young stock. On the whole, extensive graziers and experienced farmers have expressed themselves abundantly satisfied with the result of Wednesday's market, as a further proof of the groundless nature of the rumour that Sir Robert Peel's measures would be immediately felt in the Irish provision-market."

Then the account went on to give particulars of the sales of cattle:—

"Of fat cattle there was a fair show, and sold well. Mr. P. Tomelin, Colonel Bruen's steward, got forty-six guineas for two oxen in prime condition; he also sold one lot of sheep at 3*l.*, and a second lot at about 57*s.* each. Milch cows sold well, and were in good demand. Young stock were low, and were not in good condition. Dry cattle sold well. Mr. Bolton, of the Island, sold two lots—the one at 10 guineas, and the other at 10*l.* 17*s.* 6*d.* each. Two-year-old bullocks not in demand; but yearlings averaged from 4*l.* to 5*l.*; and three-year-old bullocks from 11*l.* to 13*l.* each."

Here was an account of the fair at Clonmel:—

"Our fair this day was well attended, and cattle were in good demand, and remunerating prices given. Fat cows brought from 10*l.* to 12*l.*; in calf heifers, 8*l.* 10*s.* to 9*l.*; strippers, from 6*l.* to 7*l.*; heifers, 5*l.* to 6*l.*; yearlings, 3*l.* 10*s.* to 4*l.* 10*s.* A bullock, the property of Mr. John Bagwell, of Marlfield, brought 21*l.* 10*s.* Four bullocks, the property of the Earl of Glengall, brought 16*l.* each. Fat wethers brought from 2*l.* to 2*l.* 2*s.* 6*d*; ewes, 35*s.* to 39*s.*; lambs, 17*s.* 6*d.* to 22*s.*"

The next extract he would read was an account of the sales at the Waterford May fair:—

"On Wednesday, there was a good supply of horned cattle, with a fair demand at remunerating prices. Sheep and lambs sold prety well."

He hoped, that with regard to the alarm stated to prevail on these subjects, these extracts would convey some comfort to those who were now filled with fear and trembling; but, as he before said, he did not think that degree of alarm was by any means so great as was represented, though, let it be what it might, he did say, that an alarm on the part of those who, after all, possessed no better means than the Government, or than Members of that House, for judging of the capabilities of foreigners to import cattle into this country, ought not to be permitted by the House to be assumed at once as a cardinal rule for the guidance of their legislative proceedings. The hon Mover of this resolution deserved credit for much ingenuity and for much excellence of argument, but he claimed credit to himself for one result which he could not say he thought the hon. Member had attained. He referred to the intelligibility of the hon. Gentleman's motion, and he must say, that that resolution did appear to him to be very conveniently obscure in a most material point connected with the subject. Let him ask what was his hon. Friend's intention with regard to the amount of duty to be taken by weight? Was it to be 8*s.*, 1*s.* 6*d.*, or 1*s.*, or 6*d.* per cwt.? He apprehended it would be, to say the least, a wretched consolation to the hon. Member and his Friends were the Government to offer a duty of 1*s.* per cwt, in lieu of that proposed under the new tariff. and with a view only to the gratification of the hon. Member's partiality for a duty to be taken by weight. Some hon. Gentlemen appeared to think that no such rate of duty would be contemplated. Of course, he had no means of knowing at what point his hon. Friend intended to fix his duty, but he apprehended, he would put it at 4*s.* or 5*s.* a cwt., and he would assume this for the purposes of argument. Now, then, a word or two upon the point, of weight in general. He admitted, that theoretical accuracy—if he might so express himself—might be best attained by taking the duty by weight. They might under that system attain a more perfect knowledge of the class of animal admitted; but this was a question of practical convenience as contrasted with that of greater accuracy, and they were to choose between the advantages of that working convenience, and the advantages of a more precise adjustment. It was clear, that other countries had already decided the question in favour of the most convenient arrangement. Animals appeared rated on the tariffs of most other nations; but he scarcely knew of one solitary case in which the duty was leviable upon the weight of the animal. It was then thought better on the continent that the rate of duty was taken per head, and there were, he thought, many means of accounting for this general concurrence. In the first place, some difficulties might arise, under the motion of his hon. Friend, in defining what animals were imported as articles of food, or for the purpose of breeding. They must also have weighing machines. What he meant to say was, that they must have a weighing apparatus constructed for the purpose of taking the weight of these animals at particular parts of docks or quays, at which particular docks or quays, vessels laden with these animals must discharge their cargoes, or else cause great inconvenience to other vessels in the same port. All these delays would be annoying, and even expensive. [*Laughter.*] Some few Gentlemen might be inclined to think that of trivial moment, but time had its price in all mercantile transactions, and although he was far from saying, that inconveniences like these might not be overruled when there were material advantages to be gained by resorting to such expedients, yet, where no such effects were clearly apparent, all such inconveniences must be looked on as material disadvantages and as greatly detracting from the value of any particular system. He now proceeded to the argument of the hon. Member for Somersetshire, who had referred to the duty on spring corn, and the difference between the duty on live animals and dead meat. His hon. Friend said, that the duty on dead meat was worse than that on spring corn, and the duty on live animals worse than that on meat. Now he must say that he was prepared to contend that the duty of 1*l.* was a fair duty on live meat; and saying this he did not admit that there was such a discrepancy between that and the other duties to which his hon. Friend had alluded, and on which he insisted. He would not then go into the alleged discrepancy (which he altogether denied) between the duty on corn and the duty on meat; but would be content for the present with showing that there was not the discrepancy that was supposed between the 8*s.* per cwt., on dead meat, and the duty to be levied on oxen. The duty levied on oxen covered the lean and fat. Now, if it were the case that the home grower was really likely to be overwhelmed by the foreign grower, he admitted at once that a fair case would be made out for drawing a distinction between lean and fat cattle. It would, he thought, in such a case, be perfectly fair and reasonable to do this: but on the other hand, if there were no such fear, the reason of the distinction would disappear, and the argument for the simplest and most convenient mode of taking the duty would prevail. To that inquiry then let them address themselves. Let 8*s.* per cwt. be assumed as a fair protection upon meat. He would then take the case on which his hon. Friend relied as a test for the fitness of what was proposed, and he argued that the duty of 1*l.* on a fat ox was not out of proportion with the 8*s.* duty on meat imported dead. There were several points of great importance connected with this branch of the subject, which they would do well not to overlook. Four reasons particularly struck him why a higher duty should be imposed on dead meat than on live cattle, and two of those reasons, being those of the least importance, he would at once state to the House. In the first place, there was a higher rate of insurance on live cattle, necessary to cover the greater risk of transit; and next, the dead meat being prepared for the table and arrived at what he might call its ultimate stage of manufacture, the last process of labour having been expended on it, it ought, as he thought, according to the general rules of the customs' duties, to be subjected to a somewhat higher rate of duty. He would now show by other considerations, that the apparent difference in the duties would be equalized by the difference of the circumstances of trade in the two articles, and his conclusions would be supported by experience, for it would be found upon inquiring that the importation of dead meat from Scotland to this country was gaining upon that of live cattle. To show how the duty and charges on live cattle and dead meat would operate he would suppose that the expenses attendant on the importation of cattle from Hamburgh were the same as on cattle brought by sea from Aberdeen, though in reality they were somewhat higher in the former case; and he would not take cattle of an enormous size, which would only perplex the calculation, but would assume that the average of oxen from abroad would yield six cwt. of meat. The expenses of importing live cattle from Hamburgh would then be 2*l.* 4*s.* or 2*l.* 5*s.*: viz. 2*l.* for freight, and 5*s.* for charges. Adding to the 2*l.* 5*s.* for freight and expenses the proposed duty of 1*l.*, it would make the whole 3*l.* 5*s.* Now, dead meat could be imported from Aberdeen, and therefore he was to assume from Hamburgh at the rate of 1*l.* freight for six cwt., and with the proposed duty of 8*s.* per cwt. or 48*s.* for the six cwt., the difference of the expenses between the two would be as 3*l.* 5*s.* to 3*l.* 8*s.*, a difference altogether insignificant, even if what he had now stated were the whole of the case. But, in point of fact, there was another distinction which should also be taken into account in all calculations upon this subject. It should be remembered that the carcass was not of uniform value in all its parts. Some parts were ordinary, whilst others were fine. About one-third part of the carcass might be estimated, as he found upon inquiry, at about 25 per cent. above the average of the whole. If the cattle were imported alive from Hamburgh the whole would cut up as average meat, but if dead meat were imported, there was no doubt the importations would consist of the primest pieces. It was true, that in hot weather little or nothing would be done in the way of importing dead meat; but at other times it could come ready dressed for the table in forty-eight hours, and the importer would forward the prime pieces, keeping the coarser parts for the lower consumers in his own country. Thus, if an ox worth 16*l.* were imported, paying 3*l.* 5*s.* for freight and duty, the expenses would then amount to about 22 per cent. on the value, whilst six cwt. of picked meat would be worth 20 per cent. more than the other, and therefore 20*l.* in the market would only pay 3*l.* 8*s.* for freight and duty, or about 19½ per cent. on the value of the commodity, whilst the live stock paid 22 per cent. Leaving now as sufficiently disposed of the subject of relative duties, he would say, that in his opinion the duty of 1*l.* per head on live stock was quite as much as it ought to be.

In considering this subject under its more general aspect, it would be necessary to revert to the important question of the increase which had taken place in the price of meat in this country. It was said that his right hon. Friend, in proposing the tariff, went no further back than 1835; but even if he had gone further back a still stronger case could have been made out. It was true that in 1832 and in 1833 the prices were higher than in 1835 and 1836, but still they were much lower than the prices of 1838, 1839, 1840, and 1841. He had before him a return of the number of sheep and horned cattle sold at the great October fairs of Dunlo and Ballinasloe from the year 1790 to 1841. The oxen in the list were divided into four classes, and he would give the results of 1830 and 1841. In 1830 the first class oxen were 11*l.*, and in 1841 they were 18*l.* The second class in 1830 were 9*l.* 10*s.*, and in 1841 they were 17*l.* The third class in 1830 were 7*l.* 10*s.*, and in 1840 they were 14*l.* 10*s.*; and the fourth class in the former period were 6*l.*, whilst in the latter they were 11*l.* Now, it could not be contended that even in 1830 meat was at an extraordinary low price in these countries. The returns from the Poor-law unions would also serve to show the progress of increase, and he had a list of contracts for several unions in Cornwall, Cumberland, Lincoln, Norfolk, and Yorkshire, supporting this assertion, with which he should not, however, trespass on the House. The effect of population upon prices was different in different parts of the country according to the degree in which facilities of communication were afforded. Formerly, in different parts of the country there were very different prices of meat; but since the immense facilities of new modes of communication had been introduced, they had caused that difference almost to disappear. Before there was an access to the great markets, the prices of meat in remote districts were very much lower than they were at present. This was an important reflection for them, in considering the change now proposed in the tariff. He had heard Gentlemen from remote districts say, that where the price was 4*d.* or 5*d.*, it was now 6*d.* and 7*d.* If that were so, was it not, he asked, a serious grievance? If there had been such a rise in the price of meat, it not being on the other hand alleged that there was any corresponding increase in the rate of wages, must it not have materially tended to restrict the comforts of the people. He believed in London, or (as his hon. Friend had quoted it) in Greenwich, the prices had remained, on the whole, pretty equal, and yet in some of the large markets the prices had altered considerably. There had been a great rise in price in Liverpool, although it received the great bulk of that immense supply of provisions that came from Ireland. In Liverpool the price of butcher's meat had, in the last ten years, risen 1*d.* or 1½*d.* the pound. In such a case some measure was imperatively called for which would at least check an increase in the price—which would prevent meat from becoming still more dear. Another question must be considered. An hon. Gentleman, the Member for Lincolnshire, had spoken wisely, had uttered words full of meaning whether he were conscious of their full scope or not, when he said it was necessary for Government to look to the future. Had they not then a rapidly increasing population, and was it not necessary that proper provision should be made to meet the wants of this rapidly increasing population? Was there any probability of providing for the increase from their own markets? He did not speak of the importation as a thing to be feared; it was an object of hope. He wished he could persuade himself that there was a chance of a larger importation of cattle under the new law, and of a more perceptible influence upon prices than experience would, as he believed, speedily prove to be the case. There was no cause for apprehension in the minds of agriculturists. He doubted that they would be able to do much more than to provide for the increase of the population of the country. He came now to the question as to the increase of the population; but he wished first to consider where was the supply to come from? He had heard agricultural Gentlemen say, that they did not mind a decrease in the price of 1*d.* in the pound, but a decrease of 2*d.* or 2½*d.* they looked to with dread. He did believe they had no ground for apprehension on their own showing. He even believed that if they laid on no duty at all upon the importation of foreign cattle, yet they need have no fear for any such reduction in the price. He wished, however, to put no hypothetical case as to the freedom of trade—as to that which they did not propose to establish. He must say, with great deference towards the judgment of those who entertained the notion, that there could not be anything more visionary than that there would be a reduction of 2*d.* or 2½*d.* through the operation of the tariff. A great fallacy ran through the argument of his hon. Friend. He took the market place of Kiel, and forgot that it was British demand that was to be supplied, and he made no allowance for the powerful effect of that demand in raising the price. The second fallacy was this, that he overlooked a very material element in the calculation, the element of quantity; for, unless he could show that a large quantity could be imported, the British farmer had nothing to fear. What, he asked, was the consumption of the country, respecting which so much was apprehended? The consumption of oxen in London might be moderately taken at 200,000 head in the year, and in the whole country probably 1,600,000 head of oxen. What effect could a small number of foreign cattle have upon such a mass as this? His hon. Friend had swelled his figures, though after all they were not formidable, when he talked of imports from France and Belgium. The export to which he had referred, which did not amount to many thousands, consisted in great part of cows and calves. They were not to expect a supply of any moment from France. They there saw the effect of high prices in a progressively diminished consumption. As to Belgium, there was no chance of exports of cattle from that country. The same thing was taking place in Brussels as in Paris—a continual rise in the price, and continued diminution in the consumption. As to the German union, they had little to fear from that, which was upon the whole rather an importing than an exporting country. His hon. Friend had then proposed the Baltic; but then, he asked, did his hon. Friend entertain any serious apprehensions as to the importation of live cattle from the Baltic? Was it to be supposed that they could have a considerable import of cattle, with the long voyage from the Baltic? Let them take Ireland as an example—or let them look to Scotland, and though no duty was imposed, yet for the sake of convenience even Scotland in many cases preferred sending dead meat to live cattle by the sea voyage from ports comparatively so near as hers. Ireland did not send any of her cattle by a long voyage. All the cattle from that country came, he believed, from and to the nearer ports. The expences then and charges on the import of cattle from the Baltic would be such that they need have no apprehensions on the matter. Again, he said he should be glad to hear what was the calculation of his hon. Friend as to the number of cattle that was likely to come from the Baltic. Looking at the whole of Europe, he could not divine whence it was that they were to get a really large supply of animals. He wished his hon. Friend in the course of his speech had given his own estimate of the probable importation from the continent of horned cattle in the next five years. He had, indeed, seen a statement in the newspapers, in which was mathematically proved what the consequences of this change might be. It was there, if he remembered right, stated that 300 sows in three or five years might give birth to 232,000,000 pigs. Calculations of that kind were as rational and as wise as many of the objections that were made to this proposition; but they ought not to be made the basis of a serious opposition. He wished

Gentlemen of ability and intelligence, like his hon. Friend, would seriously attempt to draw their own conclusions and their own estimates as to the number of horned cattle that might be expected to come into this country in the course of five years. It was not in that House he had heard it, but he found this to be stated on the authority of great agriculturists, that in five years there would be an importation of 80,000 head per annum. At present it was admitted, that there were not 30,000 head disposable. Let them take it, then, as it was supposed—that in five years the import of foreign cattle from the continent would be 80,000 horned cattle. Now, if that were a fair calculation, he would be glad to know if it would do more than provide for the increase in the population? A calculation had been made as to the consumption of animal food per head in this country. The amount was about fifty pound per head annually. He assumed that one-half of the meat consumed was beef. The consumption then of beef was twenty-five pounds per head. Looking to the increase of the population in this country, as it had been for the last ten years, they found it to increase 227,000 souls a-year. If, then, the population continued thus to increase for the next five years, as it had done for the last ten years, they might prove, by simply working out these figures, that in order to keep the price of meat down to what it was at present—to prevent its rising farther, not to reduce it; and allowing the same amount of supply at home, and the same rate of consumption that they now had, they ought to have for their increasing population 80,000 head of cattle from abroad. Where, then, was there the rational ground for supposing, they would be overwhelmed by any importation of foreign cattle. First, they found that there were produced by his hon. Friend but 16,000 head of cattle to supply the present demand. They next saw, that the prices of meat showed a rise—that they had been considerably on the increase, for the last ten or twelve years. In his opinion, they required a greater supply than any they could anticipate to receive from the continent. It was under these circumstances, that he conceived no ground had been laid for the apprehensions expressed by his hon. Friend. Nothing could be more fallacious than showing the difference of the expenses in Denmark and in this country in the rearing of cattle. In that, as in all other cases, the expenses of production were greater here than abroad. What enabled them to compete with others? Their capital, their natural wealth, and their industrious population. They were enabled to stand on an equality with the whole world, notwithstanding their heavy debt and their serious difficulties. Despite of these, they were able to contend against the whole world. The consideration as to the cost of production here, as compared with other countries, was one that was important at all times to regard; but still that must be received with great qualification, because without that qualification, it would go to prove, that the proper course for that House to pursue, would not be to lower protecting duties, but to double them, and to banish from their shores the trade of the whole world. Then his hon. Friend had referred to salted provisions from America. They could be had from 20*s*. to 25*s*. at New Orleans the two cwt., it was said by his hon. Friend; and they could be brought here for duty and all at about 2*l*. 4*s*. or 5*s*. [Mr. *Miles* stated that was of one description.] If the positions of his hon. Friend were correct, the American salted meat could, even with the present duty, have undersold that both of Hamburgh and Ireland. Why did it not do so? The beef of Canada was to be had at Liverpool, of the class technically called Indian beef, for 2*l*. or 2*l*. 4*s*. the three cwt., that was about 2*d*. the pound. It could be sold for half the usual price of Indian beef. And yet the salted beef of Canada for 3*l*. to 5*l*. duty paid, was neglected, and still lay in bond, and Irish beef at 8*l*. was taken in preference. Why so? because of the superior quality of the Irish meat. His hon. Friend, the Mover of the resolutions before the committee, did not look to the inferiority of the productive powers of the continent as compared with their own—he would not say with the soil—but with the capital expended, the skill shown, the energy and perseverance of the British agriculturist. He would refer to a case in point, which had been already, he believed, brought before the notice of the House. Why were horses bred to such an extent in England, instead of being imported from the continent at the existing duty of 1*l*. per head? The importation of horses for the last year, was only about 300, while the House was perfectly aware, that our exportation amounted to upwards of 4,000 or 5,000. Now, why did they not buy cheap continental horses? They would say that the breed was inferior. But when they said so, did they not remember, that the breed of cattle was also of an inferior description? But you might say, "when there is a demand, the breed will be improved." Then why have they not improved their horses? They have had the opportunity, the means of doing so. Horses bore a high price in this country, and if they looked to Mr. Meek's report, they would find, that upon the continent, horses might be had at such prices as would justify hon. Members in saying, that they might be imported into this country, pay the duty of 1*l.* per head, and after all undersell the British breeder. It was capable of being argued that such might be the case, but yet in practice it was not so. And were not those facts—was not the experience which they had had, better than a great deal of speculation? The cause which excluded French horses, was the operation of the superiority of English producers, and to that they might safely trust, as to the introduction of cattle. Again, he repeated, that although a large importation of cattle would be desirable to meet the wants of the increasing numbers of our population, yet that it appeared to him to be chimerical to imagine that any great reduction in price would take place. He would not venture to state any point of price as that likely under the operation of the tariff to be attained, but he repeated, that no great reduction was likely to ensue. There was one other point which he would notice before sitting down, and that was, that some hon. Gentlemen seemed to think, that if the operation of the tariff would only be to give rise to a small importation of cattle, what was the use of altering the law at all? He had heard an hon. Gentleman say—"Why interfere? Why not leave the matter to the natural operation of supply and demand?" But it was the violent interference of the existing system with the natural operations of supply and demand, which made it desirable that that system should undergo some modification. It did not, however, follow, that because the operation of the tariff would be only to produce a moderate importation, that they were to consider the benefit of the change as extending no farther than the actual reduction of prices. Suppose that 50,000 head of cattle were to be annually imported, such importation would produce but a small effect upon the prices of meat, but it would create an import trade to the amount of half a million of money—a trade which, in its nature, would tend by a smooth, and, under ordinary circumstances, a certain, though a gradual, course of operation, to produce an export trade in return, of an equal amount; which would contribute—he did not say in a moment, but in the course of years—to an increased demand for employment and labour. The proposition was a safe one; the benefit to the country would be large, and the reduction of prices to the consumer, whatever that reduction would amount to, would be also beneficial. On the other hand, that reduction would be moderate—it would be within the limits which the friends of agriculture—the best friends of agriculture—had declared, that they could incur reduction of price without apprehension. The benefit the proposed change would confer upon trade would be considerable, and the grounds upon which it had been opposed, the fears which had been raised as to its application, he contended were in no degree whatever justified by the real circumstances of the case.

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